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RAJASTHAN RULES COMPENDIUM

(IN 16 VOLUMES)
(1949 TO 1967)

By
VYAS & BAFNA



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RAJASTHAN IRRIGATION & DRAINAGE RULES, 1955

IRRIGATION DEPARTMENT NOTIFICATION

Jaipur, October 28, 1957.

No. F-2 (108) Irg./51.—In exercise of the powers conferred under section 60 of the Rajasthan Irrigation and Drainage Act, 1954 (Act No. XXI of 1954) Government are pleased to make the following rules, namely:—

Notes.

Section 60 of the Rajasthan Irrigation and Drainage Act, 1954, authorises the State Government to make rules for regulating the following matters:—

IRRIGATION & DRAINAGE RULES

Published in Raj. Raj-patra Dated January 9, 1958 part IV (c) at page 890 :

Irrigation Department

CORRIGENDUM

Jaipur, December 21, 1957.

No. F. 2 108 Irg./51.—Please read “the Rajasthan Irrigation and Drainage Rules 1957,” instead of “The Rajasthan Irrigation and Drainage Rules 1955” as mentioned in this Department Notification No. F. 2 (108) Irg/51 dated the 28th October, 1957 published in Rajasthan Gazette Part IV (C) dated 19th December, 1957.

By Order of the Governor,
BALWANT SINGH,
Secretary to the Government.

Section 18. section 18 shall be issued in writing, and shall be served on each person concerned, personally or affixed on a conspicuous part of his place of residence, if it cannot be served personally. The Divisional Irrigation Officer shall himself sanction the design and estimate of the works after satisfying himself that they are suitable.

Notes.

Sub-section (1) of section 18 of the Act, reading as under, requires the Irrigation Officer to issue orders for Construction of machinery works. This rule prescri-

These rules have been first published in Rajasthan Raj-patra Dated Dec., 19, 1957 in part IV (c) at page 778.

RAJASTHAN IRRIGATION & DRAINAGE RULES, 1955

IRRIGATION DEPARTMENT NOTIFICATION

Jaipur, October 28, 1957.

No. F-2 (108) Irg./51.—In exercise of the powers conferred under section 60 of the Rajasthan Irrigation and Drainage Act, 1954 (Act No. XXI of 1954) Government are pleased to make the following rules, namely:—

Notes.

Section 60 of the Rajasthan Irrigation and Drainage Act, 1954, authorises the State Government to make rules for regulating the following matters:—

(a) the proceedings of any officer who, under any provision of this Act, is required or empowered to take action in any matter;

(b) the cases in which, and the officers to whom, and conditions subject to which, orders and decisions given under any provision of this Act, and not expressly provided for as regards appeal, shall be appealable;

(c) the persons by whom, the time, place or manner at or in which anything for the doing of which provision made in this Act, shall be done;

(d) the amount of any charge made under this Act;

(e) and generally to carry out the provisions of this Act.

The State Government has, therefore, framed these rules for such regulation.

Preliminary

1. *Short title and commencement.*—These rules may be called the Rajasthan Irrigation and Drainage Rules, 1957 and shall come into force on their publication in the Rajasthan Gazette.

2. *Definitions.*—In these rules, unless the context otherwise requires:—

(a) "Act" means the Rajasthan Irrigation and Drainage Act, 1954;

(b) "Form" means a Form appended to these Rules;

(c) "Schedule" means a Schedule appended to these rules;

(d) "Section" means a section of the Act; and

(e) Words and expressions not defined in these rules bear the meaning respectively assigned to them in the Act.

3. *Orders for construction of masonry works.*—The order which a Divisional Irrigation Officer may issue under section 18 shall be issued in writing, and shall be served on each person concerned, personally or affixed on a conspicuous part of his place of residence, if it cannot be served personally. The Divisional Irrigation Officer shall himself sanction the design and estimate of the works after satisfying himself that they are suitable.

Notes.

Sub-section (1) of section 18 of the Act, reading as under, requires the Irrigation Officer to issue orders for Construction of machinery works. This rule prescri-

These rules have been first published in Rajasthan Raj-patra Dated Dec., 19, 1957 in part IV (c) at page 778.

bes the procedure for the Service of such orders and the duty of the Officer in that regard.

4. *Form of application for water and notice.*—(1) All applications for water to be supplied for irrigation through an existing channel, or through a channel to be constructed by the applicant, shall be made as nearly as may be in form 1.

(2) A notice under section 20, 22 and 23 shall be issued by the Divisional Irrigation Officer to all persons concerned in form 2.

Notes.

Sections 20, 21 (and 22) and 23 of the Act respectively deal with applications for supply of water through intervening water Course for Construction of new water Course and for transfer of existing water Course. These sections further require the Divisional Irrigation Officer to issue notices on receipt of such applications. This rule prescribes the forms for these applications and notices.

5. *Divisional Irrigation Officer to send record to Collector.*—The Divisional Irrigation Officer, whenever he makes an inquiry under section 22 or section 23, shall forward his proceedings to the Collector of the district for his orders under section 24 and 25.

Notes

Sections 22 and 23 require the Divisional Irrigation Officer to Make an inquiry on the receipt of applications for Construction of new water course and transfer of existing water Course. Rule 5 requires the officer to forward his inquiry to the Collector for orders under sections 24 and 25.

6. *Proceedings of Collector.*—The notice which the Collector is required to give to the Divisional Irrigation Officer under section 24 shall be given not less than 14 days previous to the date fixed for the inquiry.

Notes.

Section 24 of the Act dealing with procedure before Collector reads as under.

(1) Within thirty days from the publication of a notice under section 22 or section 23, as the case may be, any person interested in the land or water course to which the notice refers may apply to the Collector by petition, stating his objection to the construction or transfer for which application has been made.

(2) The Collector may either reject the petition or may proceed to inquire into the validity of the objection giving previous notice to the Divisional Irrigation Officer of the place and time at which such inquiry will be held.

(3) The Collector shall record in writing all orders passed by him under this section and the grounds thereof.

7. *Opening of new water-courses*—Water shall not be admitted into any new water-course until all works have been constructed which are necessary for the passage across such water-course of water-courses existing previous to its construction and of the drainage intercepted by it, and for affording proper communication across it for the convenience of the neighbouring lands and of the public.

Notes

Sub-section (1) of section 29 of the Act requires that when any applicant is placed in occupation of land or of water Course as aforesaid, the rules and Conditions referred in this Section shall be binding on him. The first of these Conditions is as under:—

(i) All works necessary for the passage across such water course or courses, existing previous to its construction and of the drainage intercepted

by it, and for affording proper communication across it for the convenience of the neighbouring lands, shall be constructed by the applicant, and be maintained by him or his representative in interest to the satisfaction of the Divisional Irrigation Officer;

This rule makes this requirement as condition precedent for supply of water into any new water course.

SUPPLY OF WATER

Notes.

The rules 8 to 16 have been framed as required under section 31 of the Act. The rules 17 to 21 are meant to cover the requirements of section 32 of the Act. The enabling sections are reproduced below.

In the absence of a written contract, or so far as any such contract does not extend, every supply of water from an irrigation work shall be deemed to be given at the rates and subject to the conditions prescribed by the rules to be made by the State Government in respect thereof.

Such contracts and rules must be consistent with the following conditions:—

(a) The Divisional Irrigation Officer may not stop the supply of water to any water course, or to any person, except in the following cases:—

(i) Whenever and so long as it is necessary to stop such supply for the purpose of executing any work ordered by competent authority and with the previous sanction of the State Government;

(ii) Whenever and so long as any water course is not maintained in such proper customary repair as to prevent the wasteful escape of water therefrom;

(iii) Within periods fixed from time to time by the Divisional Irrigation Officer.

(b) No claim shall be made against the State Government for compensation in respect of loss caused by the failure or stoppage of the water in an irrigation work by reason of any cause beyond the control of the State Government, or of any repairs, alterations or additions to the irrigation work or of any measures taken for regulating the proper flow of water therein, or for maintaining the established course of irrigation which the Divisional Irrigation Officer considers necessary; but the person suffering such loss may claim such remission of the ordinary charges payable for the use of the water as is authorised by the State Government.

(c) If the supply of water to any land irrigated from an irrigation work be interrupted otherwise than in the manner described in the last preceding clause, the occupier or owner of such land may present a petition for compensation to the Collector for any loss arising from such interruption, and the Divisional Irrigation Officer may award to the petitioner reasonable compensation for such loss.

(d) When the water of an irrigation work is supplied for irrigation of a single crop, the permission to use such water shall be held to continue only until that crop comes to maturity and to apply only to that crop; but if it be supplied for irrigating two or more crops to be raised on the same land within the year, such permission shall be held to continue for one year from the commencement of the irrigation, and to apply to such crops only as are matured within that year.

(e) Unless with the permission of the Superintending Irrigation Officer, no person entitled to use the water of any irrigation work, or any work, building or land appertaining to any irrigation work, shall sell or sub-let or otherwise transfer his right to such use; provided that the former part of this clause shall not apply to the use, by a cultivating tenant, of water supplied by the owner of a water course for the irrigation of the land held by such tenant.—

But all contracts made between the State Government and the owner or occupier of any immovable property, as to the supply of water to such proper-

ty, shall be transferred there with, and shall be presumed have been so transferred whenever a transfer of such property takes place.

(f) No right to the use of the water of an irrigation work shall be, or be deemed to have been, acquired under Part IV of the Indian Limitation Act, 1908, or under the Indian Easements Act, 1882, of the Central Legislature as adapted to Rajasthan; nor shall the State Government be bound to supply any person with water except in accordance with the terms of a contract in writing.

8. *Introduction of new Irrigation.*—In deciding the actual percentage of the cultivated area which should be adopted for irrigation for any tract the proportion of the culturable to the cultivated area, the quantity of water available for the irrigation of the tract and the existing annual irrigation from masonry wells or other permanent and reliable sources should be considered.

9. *Grounds of refusal to grant water.*—An outlet for the supply of water from a Government channel shall not
Section 31. ordinarily be granted in respect of lands where in the opinion of the Divisional Irrigation Officer:—

- (a) Serious loss from wastage is likely to occur.
- (b) reasonable grounds exist for believing that canal irrigation, will, by raising the spring level or otherwise, prove injurious to health or agriculture;
- (c) the available supply of water in the canal, distributory or water-course is already fully utilised; or
- (d) the length of the water course from its head to the point of contact with such lands does, or would exceed one mile.

10. *Fields liable to be debarred from canal irrigation.*—(1)
Section 31. With the previous approval of the Commissioner, the Divisional Irrigation Officer may prohibit the use of canal water:—

- (a) in any field which is irrigated from any other source of a permanent and reliable character;
- (b) on lands to which in accordance with 9 a supply of water would not ordinarily be granted;
- (c) for the irrigation of any KHARIF crop when the land to be irrigated is situated within one mile from the outermost houses of any town, if such irrigation be objected to by the Municipal Board or Committee, or, if there is no Municipal Board or Committee, by the Collector:

Provided that, when any prohibition of the future use of canal water is made under this rule, in respect of lands in which irrigation is already established, the occupier of the land affected shall be entitled to such compensation, if any, as the State Government may think just.

2. The order under this rule debarring any field or fields from irrigation by canal water shall be in writing under the hand of the Divisional Irrigation Officer, and shall be affixed in a conspicuous place in each village concerned; and a copy of the order

shall be conveyed to the canal Zileदार and to the Patwari or, in his absence, to the Lambardar.

3. It shall be the duty of the Zileदार and the patwari to make the purport of the order known to the land owners and cultivators concerned.

11. *Alternation in distribution of Canal Irrigation.*—(1) No material change shall be made in an established system of canal distribution without previous consultation between the Divisional Irrigation Officer and the Collector. If these two officers cannot agree, the matter shall be decided after consultation between the Commissioner and the Superintending Irrigation Engineer, and if they also disagree, the matter shall be referred for orders to the Government.

(2) Notices in regard to the reduction and removal of outlets, with brief reasons therefor, shall be issued to the cultivators concerned, so as to give them time to lodge objections before the proposals are submitted for the approval of the Collector of the district, and at least one clear FASL before the changes are likely to take place, so that the GULS of the outlets concerned may be connected up. Before the changes are made existing Warabandis shall be revised where necessary.

(3) The size or position of an existing outlet shall not be altered without the sanction of the Divisional Irrigation Officer.

12. *Filling of tanks for watering cattle.*—Tanks may be filled with canal water without charge, and without reference to the area irrigated in any village, whenever water can be made available without injury to the cultivation dependant on any canal, subject to the following conditions:—

- (1) Except as provided in rule 13 no tank shall be so filled unless exclusively used for domestic purposes or watering cattle.
- (2) No tank shall be so filled which, intercepting any line of drainage, is liable to overflow from accumulation of water from natural causes.
- (3) No tank shall be so filled except on the written order of the Sub-Divisional Irrigation Officer, issued on the written applications of the people interested in filling of the tanks at such times and to such extent as the Sub-Divisional Irrigation Officer approves.
- (4) No tank shall be so filled unless the water course used to fill it shall be shown to the satisfaction of the Sub-Divisional Irrigation Officer to be in a sound condition when the application is made.
- (5) In the event of any breach of the foregoing conditions by any person for whose benefit the tank has been so filled, or of any such person using any tank so filled otherwise than for domestic purposes or

for watering cattle, the privilege, afforded by this rule, may, in addition to any penalty which may be incurred under the Act, be suspended for twelve months by order of the Divisional Irrigation Officer, passed after inquiry in each case.

- (6) In this rule expression "tank" shall include any tank, pond or cistern private or otherwise.

13. *Irrigation from tanks or natural depressions.*—On the written application of the owner of a tank or natural depression and of any person requiring the water, and with the previous sanction of the Divisional Irrigation Officer, tanks or natural depressions may be filled with canal water for irrigation purposes, or canal water filled into tanks under rule 12 or rule 15 may be used for irrigation. The rates ordinarily leviable for irrigation from the canal shall be charged for all fields irrigated in this way from tanks or natural depressions filled with canal water:

Provided that the fields, if any, irrigated from a natural depression, during the FASL in which the water is supplied, and previous to the introduction of canal water, shall not be liable to water rate for the FASL. A list of such fields shall be drawn up and signed by the Zileदार and the Lambardar or Patwari in token of its correctness.

14. *Contracts for water for other than irrigation purposes.*—The Divisional Irrigation Officer may make contracts for the supply of canal water for purposes other than irrigation for any term not exceeding one year. For terms exceeding one year the previous sanction of the State Government shall be necessary.

15. *Charges for water used for other than Irrigation purposes in the absence of a special contract.*—With the previous permission of the Divisional or Sub-Divisional Irrigation Officer, tanks may be filled, or water may be supplied, without a special contract, from a canal direct in small quantities, for purposes other than irrigation, at the rates, mentioned in Schedule 1.

16. *Water supplied to cantonments Towns etc.*—When water is supplied to forts or other military buildings, cantonments, civil stations, cities, railways, public gardens or other places of public resort, either by filling of tanks or by direct flow, contracts at special rates may be made by the Divisional Irrigation Officer with the sanction of the State Government.

17. *Closure.*—(1) Divisional Irrigation Officers are empowered, for purposes of administration, closed days, and canal repairs and maintenance, to order the closure of any water course for periods which shall not extend beyond fourteen consecutive days. For longer closures the authority of the Superintending Irrigation Officer is required.

(2) Orders for closures under this rule must be notified—

- (a) by a notification signed by Divisional Irrigation Officer, a copy of which shall be conveyed by the Canal establishment, with due expedition, to each village concerned, and delivered to the Patwari or, in his absence, to any lambardar; the acknowledgment of each person to whom a copy of the notification is delivered shall be affixed to a schedule prepared for the purpose, which shall be recorded in the Divisional Irrigation Office; or
- (b) in the form of special orders if issued upon particular occasions, to be signed by the Divisional Irrigation Officer.

(2) It shall be the duty of the Patwari or Lambardar who receives the notification described in sub-rule 2 (a) to affix it at once in a conspicuous position in the village, and to make its purport generally known.

18. *Stoppage of supply in improperly maintained water-courses.*—Stoppage of water to any water-course under Sec. 32 (a) section 32 (a) (ii) may be enforced when the Irrigation Officer recommending such stoppage has satisfied himself, by personal inspection, that the water-course is not maintained in proper repair. The order for such stoppage shall be in writing under the hand of the Divisional Irrigation Officer. Immediate report shall be made to the Collector when the duration of such stoppage is likely to extend to a period of thirty days or more, the special grounds for stoppage being explained in each case.

19. *Power of canal officer in cases of emergency.*—Nothing in the rule 18 shall be taken to affect the power of the Sec. 32 (b). Irrigation Officer to close any water-course or stop any supply of water on his own authority in case of pressing emergency.

20. *Claims for remission due to stoppage or failure of supply.*—(1) Claims under clause (b) of section 32 to Sec. 32 (b). remission of the occupier's rate, shall be admitted only on proof of actual loss caused by the failure or stoppage of supply; on proof of such loss, the water rates may be reduced in the manner provided in rule 32, or, if the rates have already been assessed, the whole or any portion of the charges may be remitted as hereinafter provided.

(2) All claims to such remission shall be made to the Divisional Irrigation Officer at least 15 days previous to the cutting of the crop. The Divisional Irrigation Officer may reject or admit any claim. If the claim be admitted, the Divisional Irrigation Officer shall remit, or, where collection has already been made, direct refund.

Explanation.—The failure due to flooding of a Kharif crop sown in land which is usually flooded in the monsoon shall be deemed to be a cause within the control of the occupier.

(2) Sugarcane which has been irrigated but fails to germinate or is destroyed owing to causes beyond the occupiers' control before the break of the monsoon shall not be charged for irrigation but, if the field is re-sown with another crop and subsequently irrigated in the same Kharif season, the occupier's rate leviable shall be that due on the crop which comes to maturity.

(3) If sugarcane, which has been irrigated fails or is destroyed after the break of the monsoon by any cause beyond the control of the occupier, and if the field is re-ploughed and another crop of any kind is sown and subsequently irrigated in the same Kharif season, the occupier's rate leviable shall be that due on the crop which comes to maturity.

(4) Sugarcane which has been irrigated but fails or is destroyed after the break of the monsoon owing to having been sown on land which is usually flooded, or owing to any other cause within the control of the occupier, shall be charged the full occupier's rate, but if the field is re-ploughed and another crop of any kind is sown and subsequently irrigated in the same Kharif season, no occupier's rate shall be leviable on the second crop.

(5) If a Rabi crop is sown and irrigated subsequently to the cutting of the Kharif crop in a field on which irrigation rates have been levied in the Preceding Kharif in accordance with sub-rule (2), (3) or (4) of this rule, the occupier's rate for the Rabi crop shall be levied in addition to that for the Kharif and/or for the sugarcane crop.

28. *Charge leviable on fields partly irrigated.*—If only a portion of a field be irrigated the occupier's rate shall be chargeable on the whole field unless such portion have been clearly demarked by ridge not less than half a foot high.

29. *Charge leviable on fields partly irrigated from Canal & partly from well or other source.*—Where a portion of a field has been irrigated with canal water, and another portion is irrigated with water from a well of any other source, the whole field is liable for canal occupier's rate, unless a clearly distinguishable boundary, demarcated by a ridge not less than half-a-foot high, exists between the two portions.

30. *Use canal water courses for conveyance of water from a well or any other source.*—If water from a well or any other source is conveyed in the same channel as canal water in the course of the same season, the whole of the irrigation from that channel during such season is liable to be treated as irrigation from the canal.

31. *Charge leviable for water used without permission, or at time prohibited by proper authority, or for the irrigation of debarred fields.*—(1) Persons using water with-

Section 36. out permission or at time prohibited by proper authority (i.e. during closed day) or for the irrigation of a field which has been debarred from canal irrigation under rule 10, shall, in addition to the ordinary rate which would be leviable, be chargeable with punitive rate equal to the above ordinary rate for each separate and distinct occasion on which water is so used; provided that in every such case the Divisional Irrigation Officer may impose a lower charge if he thinks fit.

(2) In the case, however, of persons willfully cutting the banks or placing bunds in the bed of a canal, for the purpose of irrigating their fields, the punitive rate may in each such case, at the discretion of the Divisional Officer, be increased to six times the ordinary rate.

(3) If the water has been used for irrigation the area irrigated shall be measured, and notice shall at once be given on each such occasion to the persons concerned that they will be charged in the demand statement under this rule for the area so watered.

32. *Charge leviable on crops injured by failure of supply, floods etc.*—(1) If a crop which has been irrigated with
Section 36. canal water is subsequently injured by failure or stoppage of supply, or by locusts, hail, rain, floods or other calamity, and, if in the opinion of the Divisional Irrigation Officer the injury, is not due to the negligence of the cultivator, or if the injury, to the crop being a Kharif crop, is not due to its having been sown on land which is usually flooded during the rainy season, the rate to be charged for the irrigation of the crop shall be such proportion of the ordinary rate as may be determined by the Divisional Irrigation Officer acting under the general instructions of the State Government and in consultation with the Collector.

(2) Reductions of water-rates under this rule shall, so far as is possible, be made before the Jamabandis are despatched to the Collector's offices. All claims for remissions subsequently received on the grounds of injury from locusts, hail, rain, floods or other calamity shall be dealt with in accordance with the procedure laid down in rule 20 for claims on account of loss from failure or stoppage of supply.

33. *Charge for irrigation from Escapes.*—(1) Irrigation from
Section 36. escape Channels, when the supply is permanent, shall be governed by the same rule as irrigation from other parts of the canal.

(2) Irrigation from such channels, when the supply is intermittent, may be allowed at half the rates in force for irrigation from the canal.

(3) Once the escape water has left an escape channel no rate shall be changed on irrigation effected from it, except as provided for in rule 13.

34. *Charge leviable for irrigation from drainage channels.*—If there is sufficient water in a drainage cut, or in a natural drainage channel improved by the State Government and notified under section 43 to allow of irrigation therefrom without making bunds, such irrigation may be permitted by the Sub-Divisional Irrigation Officer free of charge, on the understanding that no obstructions whatever will be allowed in the drain, and that if any are put in, not only will the permission to use the water be withdrawn, but the persons causing the obstructions will be prosecuted under sub-section (1) to (3) of section 55.

NOTE.—When, without the permission of the Divisional Irrigation Officer under rule 14, canal water is taken by means of a neighbouring water-course into a drainage channel formed or maintained by the State Government, the person so taking the water can, whether the water be wasted or not, be proceeded against under section 55 (2). Any person taking water in a similar way into a natural drainage channel, and thereby wasting the water, is liable to be prosecuted under section 55 (4). The water rates ordinarily in force shall be levied on all lands irrigated in either of the above ways, and all such irrigation should be discouraged.

35. *Charge leviable for waste.*—The charge leviable for water suffered to run to waste may when the land flooded is Section 35 & 36. uncultivated, be calculated on the area flooded at the highest occupier's rate for the time being leviable; or at double this rate when the depth to which the area is flooded exceeds six inches, or at triple this rate when the depth to which the area is flooded exceeds one foot; and, when the land is cultivated, at double the rate so leviable for the class of crop grown on it; provided that in every such case the Divisional Irrigation Officer may impose a lower charge if he thinks fit.

36. *Definition of the term 'Occupier'.*—For the purposes of section 36 the following persons shall be deemed to be Section 36. 'Occupiers', (3) namely:—

- (a) Where the proprietor or the tenant, other than a tenant of sir land, is in actual cultivatory occupation, such proprietor or tenant; and
- (b) Where the proprietor of sir land has let it, or where the tenant of the land other than sir land has sub-let it, such proprietor or tenant and the person in actual cultivatory occupation.

In the cases referred to in clause (b), the proprietor or tenant and the person in actual cultivatory occupation shall be jointly and severally liable for the payment of the occupier's rate.

37. *Schedule of rates to be accessible to Villagers.*—The Patwari of every village irrigated by canal shall be furnished by the Divisional Irrigation Officer with a statement in Hindi showing the rates of assessment of each class of crop according to the ordinary local and canal standards of measurements, which statement shall be suspended in a place of Public resort in the village.

ASSESSMENT PROCEEDINGS AND CHANGE OF RATES.

38. *Assessment of owner's rate.*—The owner's rate shall be assessed by the Divisional Irrigation Officer at one
 Section 37. time of the occupier's rate for such land subject to a maximum of difference between wet and dry rate for land revenue in the locality.

39. *Charges to be excluded in Assessing owner's rate.*—No
 Section 37. portion of:—

- (a) any additional charge imposed under rule 22 (2),
- (b) any charge imposed on uncultivated land or of the amount by which the charges on cultivated land exceed the ordinary charge leviable on such land in the case of charges under rule 35,
- (c) any charge imposed under rule 13, or 33 (2) shall be included in the occupier's rate for the purpose of assessing the owner's rate.

Notes.

The rules 38 and 39 have been framed for putting into effect the requirements of Sections 37 and 38 of the Act which read as under:—

In addition to the occupier's rate, a rate, to be called the 'owner's rate', may be imposed, according to rules to be made by the State Government, on the owners of irrigated lands, in respect of the benefit which they derive from such irrigation.

The owner's rate shall not exceed the sum which, under the rules for the time being in force for the assessment of land revenue, might be assessed on such land, on account of the increase in the annual value or produce thereof caused by the Irrigation, and for the purpose of this section only, land which is held free of revenue, shall be considered as though it were temporarily settled and liable to payment of revenue.

40. *Appeals against the assessment of owner's rate.*—Appeal
 Section 60 against the assessment of owner's rate shall be subject
 (1) (b). to the following rules :—

- (1) (a) An appeal against the assessment of owner's rate by the Irrigation Officer shall lie to the Collector, provided it is brought within 30 days from the date of the receipt by the owner of the notice of the assessment by the Irrigation Officer.
- (b) Where the sum assessed on an individual exceeds Rs. 300/- a second appeal shall lie to the Commissioner from the order of the Collector; provided that such appeal be presented within 30 days from the date of the order appealed against.

(2) The grounds on which an appeal may be preferred under sub rule (1) shall be as follows:—

- (i) that any particular field or portion of a field is not liable to the rate, i.e. that it was assessed at wet rates at last settlement;
- (ii) that the assessment exceeds one third of the occupier's rate;
- (iii) that it exceeds the sum which under the law for the time being in force for the assessment of land revenue could be assessed on the land in question on account of the increase in the annual value or produce thereof resulting from canal irrigation;
- (iv) that the appellant is not liable for the rate assessed.

41. *Preparation of Khatauni or demand statement.*—On the completion of measurements of a village, a Khatauni shall be prepared from the Khâsra Shudkar in which all the entries concerning each cultivator will be brought together and totalled. The Khatauni will be prepared by the staff of the Irrigation Department or Revenue Department as is entrusted with this work by the Government in form No. 3 in Hindi and signed by the Irrigation Official carrying out the measurements.

42. *Khatauni to be accessible to cultivators.*—The Irrigation Patwari shall see that the village copy of the Khatauni is at all reasonable times accessible to any person who pays water-rate.

43. *Distribution of parchas.*—A parcha or slip containing particulars of the rate due from him shall be supplied to each cultivator. On entering a village for the purposes of finally measuring up irrigation, the Irrigation Official shall inform the Lambardar or his agent of the day on which parchas will be distributed, and shall, at the same time, cause a written notice of the same to be pasted in the village Chau-pal. The Lambardar will call upon the cultivators to attend and receive the parchas from the Irrigation Official. Undistributed parchas will be entrusted to the Lambardars of the village, or, in their absence, to the Patwari for delivery to the cultivators concerned. The Irrigation Official will enter the date of distribution on every parcha, and if it is delivered to any one but the cultivator concerned, he will note the name of the persons to whom it is delivered.

44. *Dates for submission Jamabandies.*—(1) The Divisional Irrigation Officer shall forward the Jamabandies (assessment list) to the Tehsildars concerned by the 15th October (for Kharif crops) and by the 15th April (for Rabi crops) and send simultaneously to the Collector an intimation of the date of their despatch and of the total amount to be collected in each village. With each batch of the Jamabandies despatched to the Tehsildars shall be sent two copies of the certificates, referred to in section 40. One copy of the certificate will be retained

by the Tehsildar and the other sent to the Collector's office, as soon as the Lambardar's signatures have been obtained thereon.

(2) The Jamabandie shall be in form No. 4.

45. *Objections regarding entries.*—(1) If a cultivator desires to contest the correctness of the entries made against him in the Jamabandies, whether as to the fact of the land having been irrigated or of its being charged "flow" or "lift" or as to the measurement and entires of class or crop, he shall lodge an objection with the Sub-Divisional Irrigation Officer, Dy. Collector, or Canal Ziladar, within thirty days of the date of which the parchas were distributed on the completion of the measurement of the village, or if he has been charged without having done any irrigation from the canal during the fasl, within twenty-one days of the date on which he first became acquainted with the claim against him, and the objection shall be investigated on the spot by the officer with whom it is lodged within fifteen days of its being lodged.

(2) If the objection is lodged with the Dy. Collector 'or' Canal Ziladar he will, after investigation, report the circumstances of the case to the Sub-Divisional Irrigation Officer for orders.

(3) The Sub-Divisional Irrigation Officer shall dispose of objections lodged with him under sub rule (1) or reported to him under sub-rule (2). An appeal shall lie from the decision of the Sub-Divisional Irrigation Officer within fifteen days to the Divisional Irrigation Officer, whose decision shall be final.

46. *Disputed liability to assessment to occupier's rate.*—When the liability of assessment to occupier's rate is contested on the ground that the water for which the charge has been made was not derived from an Irrigation work as defined in section 3 (i) (ii) of the Act, the objection shall be investigated and decided by the Divisional Irrigation Officer.

47. *Objection on behalf of cultivators.*—When a Lambardar or other person is responsible, under section 41, for the collection of the occupier's rates in a village or any portion of a village, objections under rules 45 and 46 may be lodged by such Lambardar or other person instead of by cultivators, and any refund that may be necessary in consequence of the order passed upon objection so lodged shall be paid to such Lambardar or other person.

48. *Receipts.*—Receipts shall be given by the Lambardar to every cultivator on payment of the occupier's rate and shall be countersigned by the Patwari.

49. *Method of dealing with alternations in the Demand.*—If after the distribution of the parchas, any additions are made to the demand, or any reductions are allowed upon objections under the rules contained above or on account of any remission under the Act or these rules or otherwise, such additions or reductions shall be communicated to the cultivator by means of supplementary Parchas. Demands shall be shown on

slips printed in black, and remissions on red forms. All alterations made before the despatch of the Jamabandies to the Collector shall be shown in that document, and shall also be written on slips similarly printed (black for additions and red for reductions), and attached to it. Alterations made after the despatch of the Khatauni shall be communicated to the Tehsildar by means of similar slips.

50. (1) *Objections to the Demand made to Collector and irre-*
recoverable dues.—Objections to the demand urged before
 Section 60. the Collector shall be referred by him to the Divisional
 Irrigation Officer, and the Collection of demand shall
 not be suspended unless the Divisional Irrigation Officer intimates
 that an objection has been allowed.

(2) Balances of irrigation rates, irrecoverable owing to want
 of assets, absconding of defaulter or other cause shall be dealt with
 by the same rules as are applicable for the time being to the writing
 off of irrecoverable amounts of land revenues for that purpose, the
 Divisional Irrigation Officer shall have the same powers as the
 Collector, and the Superintending Irrigation Officer shall have the
 same powers as the Commissioner.

51. *Payment of refunds.*—Payments of refunds of occupier's
 or owner's rate shall in all cases be made by the Collector.

Notes

The rules 40 to 51 and 54 to 59 have been framed for regulating the matters
 specifically referred to in section 60 of the Act.

52. *Lambardar's Fees.*—An allowance shall be made to
 Lambardars or other persons under engagement for
 Section 41. collecting the rates, at a percentage equal to that allow-
 ed for the time being for Land Revenue collectors in
 the area. It is payable on the canal revenue due upon the Jama-
 bandies entrusted to them, provided that the canal revenue due is
 paid in full within 90 days of the receipt of the Jamabandies. Canal
 dues shall become realisable 30 days after the receipt of the Jama-
 bandies by the Lambardars.

Notes

Section 41 of the Act reads as under:—

The Collector may require the Lambardar or Patel, if any, of any local area
 to collect any sums payable under this Act in respect of any land or water in such
 local area, and deposit the amount so collected in the State Treasury as directed by
 the Collector, and in the event of any person failing to pay any sum so required, it
 shall be recovered from him as an arrear of land revenue.

Miscellaneous.

53. *Prohibition against passing on or across canal works.*—
 No persons shall; without the permission in writing of
 Section 55(8). the Divisional Irrigation Officer, pass, or cause any
 animal or vehicle to pass, on or across any of the works
 banks or channels of a canal or drainage work, after he has been
 desired to desist therefrom, excepting upon such bridges, fords, and
 ferries, and their approaches, as are provided for public use. A person
 who passes, or causes any animal or vehicles to pass, on or across

any work, bank or channel of a canal or drainage work, in contravention of a notice in Hindi displayed at the junction of a public road with such work, bank, or channel, shall be presumed to have been desired to desist therefrom within the meaning of sub-section (8) of section 55.

Notes

Section 55 of the Act provides that whosoever, without proper authority and voluntarily, does any of the acts referred to in the Section shall be liable, on Conviction before a magistrate of second Class to a fine not exceeding fifty rupees, or to imprisonment not exceeding one month, or to both. Clause (9) of this section makes the violation of any rule made under the Act for breach whereof a penalty may be incurred, punishable. Clause (8) of section 55 makes any person who,"

passes, or causes animals or vehicles to pass, on or across any of the works, banks or channels of an irrigation or drainage work contrary to rules made under this Act, after he has been desired to desist therefrom;

The present rule 53 Contains, the prohibition required under this Clause.

54. *Persons employed on canals not to have an interest in the distribution of water etc.*—No person employed on a canal shall, without previous sanction obtained from the Divisional Irrigation Officer, have any interest in the use or distribution of water from the said canal, or purchase, or bid, either in his own name or in the name of another, or separately or in partnership with others, for any property sold by or on behalf of Government thereon.

55. *Appeals.*—Except as is otherwise provided in the Act or in these rules:—

(a) an appeal shall lie to the Divisional Irrigation Officer from any original order passed by the Sub-Divisional Irrigation Officer under the Act or these rules;

(b) an appeal shall lie to the Superintending Irrigation Officer from any original order passed by the Divisional Irrigation Officer under the Act or these rules.

56. *Limitation for appeals.*—Except as is otherwise provided in the Act or in these rules, all appeals under the Act or these rules, shall be filed within a period of 30 days from the date of the order appealed from and an appeal presented thereafter shall not be entertained.

57. *Extension of limitations.*—Any authority empowered to hear an appeal under the Act or these rules may, notwithstanding anything contained in rule 56, entertain an appeal presented after the expiry of the period prescribed for such appeal, if the appellants satisfies the appellate authority that he was prevented by sufficient cause from presenting the appeal within the prescribed period.

58. *Appeal to be accompanied by copies of Judgement.*—Every appeal under the Act or these rules shall be accompanied by a copy of the order appealed from certified by the officer who passed the order.

59. *Bar of appeal against an order extending limitation.*—No appeal shall lie from an order under rule 57 entertaining an appeal after the expiry of the prescribed period.

Notes

The rules 55 to 59 regulate the appeals as required under Clause (b) of sub-section (1) of section 60 of the Act.

By Order of Governor,
BALWANT SINGH,
Secretary to the Government.

FORM No. 1

see Rule 4 Sub-rule (1).

Application for water course.—I desire that water may be supplied to me as per particulars given below:—

1. Name and address of applicant.
2. Canal.....
Village
Tehsil.....
District
3. Crop, whether Rabi or Kharif.
4. Name and number of the water course and its land.
5. Name and number of the applicant's land to be irrigated.
6. Approximate area of the land to be irrigated.
7. Whether irrigation will be by over-flow or lift.
8. Culturable area. | 1. in whole village.
 | 2. in the applicant's land.
9. Area already provided | 1. In the whole village.
with irrigation. | 2. in the applicant's land.
10. Details regarding proposed water course:—
 - (a) Name of supply channel.
 - (b) Site of new out-let.
 - (c) Number of pipes required.
 - (d) Approximate length of water course.
 - (e) Names of owners of lands to be traversed by the water course.
 - (f) Whether the land is irrigable from the existing outlet or not ?
 - (g) Names of intending share-holders in the out-let applied.
 - (h) Number of out let in supply. | Right bank.
 | Left bank.
 - (i) Width or Bund including slope and path-way.
 - (j) Number of out-lets now allotted to the village.
11. If the application is in respect of an existing water course, give the name and parentage of the person occupying the land in which it is situated with Khasra No.

To be filled
in by the
Canal Office

12. If the application is for the construction of a new water course, give the name of the person occupying the land through which it passes, with the Khasra number of that land
13. If the application is for the transfer of an existing water course, give the name of the person occupying the land on which the water course is situated, with Khasra number.
14. I certify with reference to section 21 of the Rajasthan Irrigation and Drainage Act 1954 (Rajasthan Act XXI of 1954), that:—
 - (i) That I have endeavoured unsuccessfully to acquire, from the owners of the land through which I desire the water of the course mentioned above to pass, a right to occupy so much of the land as will be needed for such water course.
 - (ii) That I desire the divisional Irrigation officer in my behalf and at my cost to do all things necessary for acquiring such right
 - (iii) That I am able to defry all costs involved in acquiring such right and constructing such water course. (Strike off if inapplicable).
15. With reference to sub-section (1) of section 23 of the Rajasthan Irrigation and Drainage Act, 1954 (Rajasthan Act XXI of 1954) I hereby certify:—
 - (i) That I have endeavoured unsuccessfully to procure the transfer of the water course proposed to be transferred under this application, from its owner.
 - (ii) That I desire the Divisional Irrigation Officer in my behalf and at my cost to do all things necessary for permitting the transfer.
 - (iii) That I am able to defry the cost of transfer. (Strike off if inapplicable)

Date.....:

Signature of the applicant.

FORM No. 2

See Rule 4 (2).

NOTICE

To

Shrison of.....resident of.....

Notice is hereby given to you Shri.....son of.....
 resident ofwho have made an application before me
 for.....

*Conveyance of water.....**

Construction of water course... ..*

Transfer of existing water course... ..*

as per particulars given below:—

(Here enter in brief the substances of the material facts of the application).

You are hereby asked to put forth your objections, if any, before me on..... day of at a. m. at my officer, failing which the application may be disposed of in your absence.

*Strike off what is inapplicable.

Date

(Designation)

FORM No. 3

(See Rule 41)

Form of Khatouni for irrigation rates.

Khatouni for .. District..... Tehsil

..... Ziladar..... Year

..... Bundh .. Fasal.

S. No.	Khasra Nebri No.	Settlement No.	Name and percentage of owner.	Name and percentage of occupier and address.
1	2	3	4	5

Irrigated land.				Kind of	
Tod	Nahri	Bhonkla	Crop	Land	
Khalsa.	Jagir.	Khalsa Jagir.	Chahi	Barani.	
6	7	8	9	10	

Rate	Area under irrigation.	Penalty for irrigation on area Amt.	Total demand.	Remarks.
11	12	13	14	15

SCHEDULE I

Charges for water used for purposes other than Irrigation in the absence of a special contract (vide rule 15).

1. Brick making and pise wall building @-/4/6 % Cft.
2. Laying/concrete/and brick or stone masonry stone masonry ... @-/3/- -do-
3. Metalling Roads ... @Rs.15/- per mile.
4. Consolidation of Katcha Service Road @Rs.45/- -do-
5. Water supplied in Bulk ... @Rs.28/- per 2500 Cft.
6. Watering Road side or Avenue trees ... @Rs.3/12/- per canal mile of 5000 ft. for Kharif crop.

- | | | | | |
|-----|--|------|-----------------|--|
| 7. | —do— | | @R7/8- | per canal
mile of 5000
ft. for Rabi
crop. |
| 8. | Sprinkling water on Roads in the Kharif season | .... | .... @Rs.7/8/- | per mile. |
| 9. | —do— | .... | .... @Rs.15/-/- | —do— |
| 10. | in Rabi season | .... | .... @Rs.3/8- | per Bigha. |
| 11. | Watering parks in Kharif season | .... | .... @Rs.7/- | |
| | —do— | Rabi | .... |  |

Schedule II
(Vide rule 22)

Occupiers Rates.

PART I

GENERAL PROVISIONS

1. *Commencement.*—The rates provided in this Schedule shall come in force from the Rabi Crop of 1958-59.

2. *Meaning of spices.*—Spices and oil-seeds mentioned in this Schedule include the crops of Dhaniya, Methi, Haldi, Chillies, Sonf, Zeera, Ajwan, Groundnuts, Alsi, Sarson, Tarameera and Dyes.

3. *Meaning of old tank.*—Old tank means a water reservoir constructed prior to the 1st January, 1952.

Provided that if such a tank—

- (a) was not in use and has been restored on or after the 1st January, 1952, or
- (b) has received repairs on or after the 1st January, 1952 and its irrigated area before repairs was less than 10% of the total area irrigated after repairs, it shall be deemed to be a tank made after the 1st January, 1952 for the purpose of this Schedule.

4. *Resumed Jagir tanks.*—Areas irrigated from Jagir tanks resumed under the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952, shall be assessed at the rates provided in this Schedule.

5. *Concessions discontinued.*—Concessions or muafis, if any, in irrigation charges enjoyed heretofore, shall be discontinued, unless the Collector, after hearing any person objecting to such discontinuance, and in consultation with the Executive Engineer, Irrigation concerned, decides otherwise.

6. *Charges in case of fall in water below sluice level.*—Where the irrigation charges are levied on the basis of crops and if the water level in a tank is below sluice level on the 15th February, then, on lands which have received not less than three waterings, rates as provided in this Schedule shall be charged; and on lands which have received waterings less than three, the said rates shall be reduced by one-third in case of two waterings.

7. *Lift or seepage irrigation*.—Where irrigation is by lift or seepage, half the rates provided in this Schedule shall be charged.

PART II.

Rates per acre per crop for water of the Ganganagar Project.

(a) *Irrigation under Perennial Channels.*

Name of crop.	Per Acre.
1. Sugarcane	Rs. 16/4/-
2. Rice	Rs. 8/8/-
3. Water nuts	Rs. 9/12/-
4. Cotton	Rs. 7/4/-
5. Indigo and other dyes, tobacco, spices & drugs, orchards, vegetables other than turnips except Zeera	Rs. 6/12/-
6. Gardens	Rs. 8/4/-
7. Wheat	Rs. 5/4/-
8. Melons, & all other Kharif crops not otherwise specified, mazine, fiberes other than cotton barley, oats, bejar and gochani	Rs. 6/-/-
9. Oilseeds and all other Rabi crops not otherwise specified....	Rs. 5/4/-
10. Bajra, Jowar and Pulses	Rs. 4/-/-
11. Gowar, Fodder crops, Cheena and grams with two and more waterings.	Rs. 4/-/-
12. Watering for ploughing not followed by a crop (Palewa) and grass single watering	Rs. 1/8/-

(b) *Non-Perennial channels.*

1. All Kharif Crops	Same rates as for perennial channel.
2. All Rabi Crops	Per Acre.
(1) First Watering	Rs. 3/-/-
(2) Second watering	Rs. 3/-/-
(3) Third or more watering	Same rates as for perennial channels.
(4) Watering for ploughing not followed by a crop (Palewa)	Rs. 1/8/-
13. Zeera	Rs. 7/12/-

PART III

Rates per acre per crop in Bhakra Project and Ghaggar canal areas.

(a) *Perennial Irrigation.*

Name of Crop 1	Per Acre. 2
Sugarcane	Rs. 16/8/-
Rice	Rs. 9/-/-
Wheat	Rs. 6/-/-
Barley	Rs. 6/-/-
Gram	Rs. 4/-/-
Maize	Rs. 6/8/-
Cotton	Rs. 7/12/-
Jowar, Goward, & other Fodder crops	Rs. 4/-/-
Vegetables & Spices except Zeera	Rs. 8/4/-
Zeera	Rs. 9/4/-
Gardens	Rs. 8/4/-
Simmhemp & Grass	Rs. 4/-/-
All other crops kharif	Rs. 6/6/-
Rabi oil crops	Rs. 6/6/-

(b) *Non-Perennial Irrigation.*

1. For Kharif Crops Same rates as that of perennial irrigation.
2. For Rabi Crops Per Acre.
 - (i) First Watering Rs. 3/-
 - (ii) Second Watering Rs. 3/-
 - (iii) Third Watering Same as that of perennial irrigation.
3. For irrigation water taken for ploughing and not followed by any crop. Per Acre.
 - (i) For First Watering Rs. 3/-
 - (ii) For Second Watering Rs. 3/-
 - (iii) For Third Watering Same as that of perennial irrigation.

PART III—A

Rates per acre per crop in Rajasthan Canal Area.

(Non-perennial Irrigation)

1. *For Kharif Crop.*

Name of Crop	Rate per acre.
1. Sugarcane	Rs. 16.50 nP.
2. Rice	Rs. 9.00

3. Maize	Rs. 6 50 nP.
4. Cotton	Rs 7.75 nP.
5. Jowar, Gobar and other Fodder Crops	Rs. 4 00
6. Vegetables and Spices except Zeera	Rs. 8.25 nP.
7. Gardens	Rs. 8.25 nP.
8. Simm hemp and Grass	Rs. 4.00
9. All Other Crops Kharif	Rs. 6.37 nP.

II. For Rabi Crops.

(a) First Watering.	Rs. 3.00 per acre.
(b) Second Watering	Rs. 3.00 per acre.
(c) Third Watering	Same as that of perennial irrigation in Bhakra area.

PART IV

Rates chargeable on all irrigation done from (a) all works which have been constructed after the 1st January, 1952 other than from Gang Canal Bhakra [and Rajasthan Canal] supplies, and (b) from all works in the area of the former States of Banswara, Dungarpur and Partapgarh.

Name of crop	Rate per Acre.
1. Sugarcane	.... Rs. 22.00 per year.
2. Vegetable Singhara	.... Rs. 12.00 per crop.
3. Garden	.... Rs. 12.00 per half year.
4. Lucern, Tobacco & Poppy	.... Rs. 10.00 per crop.
5. Rice	.... Rs. 8.50 per crop.
6. All other crops except Zeera and cotton	.... Rs. 7.00 per crop per acre.
7. Palewa not followed by crop	.... Rs. 4.00 for all crops.
8. Zeera	.... Rs. 8.00
10. Cotton	.... Rs. 8.00 per crop.

PART V (A)
Rates (per Acre) in respect of old Tanks of the areas of the former States named below:—

S. No.	Name of Crops.	Chain 132 Ft.					Chain 132 Ft.
		Chain 165 Ft. Areas of the former State of Karauli	Chain 150 Ft. Areas of the former State, of Dholpur	Areas of the former State of Alwar except Bundh & Silisedh Sairabi Izadi Dehri Areas	Tank Baretha of Bharatpur & areas of former Bundi & 1st Class Tanks of Ajmer	Areas of former States of Jodhpur, Sirohi & Kishangarh except former Th. Sarwar	
1	2	3	4	5	6	7	
1.	Sugarcane	14.50	15.00	16.00	16.00	16.00	
2.	Garden, Pan	12.00	10.00	12.16	12.00	12.00	
3.	Vegetable and Singhara	12.00	10.00	12.16	12.00	12.00	
4.	Lucern, Tobacco and Poppy	10.00	10.00	9.92	10.00	10.00	
5.	Rice	8.50	8.75	8.64	8.50	8.50	
6.	Spices and Oilseeds except zeera.	7.00	7.00	7.04	7.00	4.00 for 1st watering & 7.00 for more than 1 watering.	
7.	Wheat, Barley, Gojra, Go-chani & Bejhar	10.00 for Bhimsagar & 9.25 for other tanks.	10.00	7.68	7.50	4.00 for 1st watering and 7.50 for more than 1 watering.	
8.	Maize, and Gram	7.00	7.00	7.04	7.00	4.00 for 1st watering and 7.00 for more than one watering.	
9.	Bajra, Joar, Til, Moth, Goar. Pulses, Fodder and other crops.	7.00	7.00	5.12	5.00	2.50 for 1st watering and 5.00 for more than one watering.	

1	2	3	4	5	6	7
10. Palewa not followed by a crop	4.00		2.50	2.88	3.00	3.00
11. Zeera.	8.00		8.00	8/4/-	8.00	Rs.5/- for first watering and Rs.8/- for more than watering.
12. Cotton.	8/-	8/-	8/-	8.00	8/-	5.00 for 1st watering and 8.00 for more than one watering.
PART V (A) Continued						
Chain 165 Ft. Areas of the Former States of Jaipur and Jhalawar	Chain 152.½ Ft. Areas of the former Tehsil Sarwar State of Kishangarh	Chain 132 Ft. Areas of the former State of Kotah	Chain 165 Ft. Areas of the former State of Kotah	Chain 132 Ft. Areas of the former State of Kotah	Chain 165 Ft. Areas of the former State of Kotah	Chain 132 Ft. Areas of the former State of Kotah
State of Udaipur	State of Udaipur	State of Udaipur	State of Udaipur	State of Udaipur	State of Udaipur	State of Udaipur
8	9	10	11	12	13	14
16.00	16.12	16.00	12.16	12.00	Per Year	Per Year
12.16	12.00	12.00	8.96	9.00	Per Half year.	Per Half year.
12.16	12.00	12.00	8.96	9.00	Per Crop.	Per Crop.
9.92	10.12	10.00	8.00	8.00	Per Year.	Per Year.
8.64	8.62	8.50	7.68	7.50	Per Year.	Per Year.
3.20 for 1st watering more than 1 watering.	7.12	2.50 for 1st watering & 7.00 for more than 1 watering.	3.84	2.00 for 1st watering and 4.00 for more than 1 watering.	do.	do.
2.88 for 1st watering & 1.60 for more than 1 watering.	6.00	2.00 for 1st watering & 6.00 for more than 1 watering.	3.84	2.00 for 1st watering and 4.00 for more than 1 watering.	do	do

8	9	10	11	12	13
2.88 for 1st watering & 1.60 for more than 1 watering.	5.25	2.00 for 1st watering and 5.50 for more than one watering.	3.20	2.00 for 1st watering and 3.50 for more than 1 watering.	do
2.56 for 1st watering & 1.28 for more than 1 watering.	5.25	2.00 for 1st watering and 5.00 for more than 1 watering.	2.88	3.00	
4.20 for 1st watering & 2.92 for more than 1 watering.	3.00	2.00	1.92	2.00	do
	8.42	3.50 for 1st watering and 8.00 for more than 1 watering.	4.84	3.00 for 1st watering and 5.00 for more than 1 watering.	
3.84 for 1st watering & 2.56 for every subsequent watering.	6.30	3.00 for 1st watering and 5.50 for more than one watering.	4.16	3.00 for 1st watering and 4.50 for more than 1 watering.	do

PART V (B)

Rates (per bigha) in respect of old Tanks of the areas of the former States named below:—

PART V (B)

Rates (per bigha) in respect of old Tanks of the areas of the former States named below:—

S. No.	Name of Crops	Chain 165 Ft. Areas of the former State of Alwar except Bundh Silisedh and Sairabi and Izadi Dehri Areas.	Chain 134 Ft. Tank Batetha of Bharatpur & are as of former Bundi & First Class Tanks of Ajmer.	Chain 165 Ft. Areas of the former States of Jodhpur, Sirohi & Kishangarh except Tehsil Sarwar.	Chain 165 Ft. Areas of the former States of Jaipur and Jhalawar.
1	2	3	4	5	6
1.	Sugarcane.	10.00	6.40	6.40	10.00
2.	Garden, Pan (Betels).	7.60	4.80	4.80	7.60

1	2	3	4	5	6
3. Vegetable and Singhara.		7.60	4.80	4.80	7.60
4. Lucern, Tobacco and Poppy.		6.20	4.00	4.00	6.20
5. Rice.		5.40	3.40	3.40	5.40
6. Spices and Oilseeds except zeera.		4.40	2.80	1.60 for 1st watering and 2.80 for more than one watering.	2.00 for 1st watering and 1.20 for every additional watering.
7. Wheat, Barley, Gojra, Gochani, and Bejhar.		4.80	3.00	1.60 for 1st & 3.00 for more than one watering.	1.80 for 1st & 1.00 for every additional watering.
8. Maiz, Cotton and Gram.		4.40	2.80	1.60 for 1st & 2.80 for more than 1 watering.	1.80 for 1st & 1.00 for every additional watering.
9. Bajra, Gaur, Til, Moth, Pulses, Fodder, and other crops		3.20	2.00	1.00 for 1st & 2.00 for more than 1 watering.	1.60 for 1st & 0.8 for every additional watering.
10. Palewa not followed by crop.		1.80	1.20	1.20	1.80
11. Zeera.		5.40	3.80	2.60 for 1st watering 3.80 for more than one watering.	3.00 for 1st watering of 2.20 for every additional watering.
12. Cotton.		5.00	3.20	2.00 for 1st watering & 3.20 for more than one watering.	2.40 for 1st & 1.60 for every additional watering.

PART V (B) Continued

Chain 152½ Ft. Areas of the for- mer State of Udaipur	Chain 132 Ft Areas of the former Tehsil Sarwar of Kishangarh State	Chain 165 Ft. Areas of the former States of Shahpura & Tonk	Chain 132 Ft. Areas of former States of Kotah	Remarks.
7	8	9	10	11
8.60				Per Year.
6.40	6.40	7.60	4.80	Per Half year.
6.40	4.80	5.60	3.60	Per Crop.
5.40	4.80	5.60	3.60	Per Year.
4.60	4.00	5.00	3.20	Per Year.
	3.40	4.80	3.00	Per Year.
3.80	1.00 for 1st watering & 2.80 for more than one watering.	2.40	0.80 for 1st and 1.60 for more than 1 watering.	
3.20	0.80 for 1st & 2.40 for more than one watering.	2.40	0.80 for 1st & 1.60 for more than 1 watering.	
2.80	0.80 for 1st & 2.20 for more than 1 watering.	2.00	0.80 for 1st & 1.40 for more than 1 watering.	
2.80	0.80 for 1st & 2.00 for more than 1 watering.	1.80	0.80 for 1st & 1.20 for more than 1 watering.	
1.60	0.80	0.20	0.80	
4.80	2.00 for first watering & 3.80 for more than one watering	3.40	1.80 for first and 2.60 for more than first watering	per year
3.40	1.20 for first and 2.60 for more than one watering.	2.60	1.20 for first per year and 1.80 for more than one watering.	

(c) *Rates on Sairabi and other Special Areas under old Tanks.*

<i>Particulars.</i>	<i>Rates.</i>
1. Rates on BUNDH Silisedh (Alwar)—	
(a) Within Municipal limits of Alwar City	Rs. 6/8/- per Acre per watering.
(b) Up to 3 miles of the BUNDH	Rs. 5/-/- per Acre per watering.
(c) From the Utrada Lockage	Rs. 4/-/- per Acre per watering.
2. Rates on Sairabi and Izadi Dehri areas of former Alwar State—	
(a) Sairabi	Rs. 3.20/nP. Per Acre.
(b) Izadi Dehri	Rs. 2.40/nP. Per Acre.
3. Rates on Sairabi areas of former State of Bharatpur—	
(a) Sairabi Mutwatir	Rs. 3.00 per Acre or 1.20 per bigha.
(b) Sairabi Ekbara	Rs. 1.50 per Acre or 0.60 per bigha
(c) On Tank Sikri BUND in case of more than one watering by flow, rates of Baretha Tank will apply; and in other cases the above Sairabi rates will apply.	
4. Rates on Second class Irrigation tanks of former Ajmer State	Prevailing rates raised by 50%

SCHEDULE II (Before Repeal)

(vide Rule 22)

PART I

Occupier's Rates per acre (per crop)

Name of crop 1	Rate to be charged. 2
<i>Irrigation under Perennial Channels.</i>	
Sugarcane .. .. .	....16/4/-
Rice .. .. .	....8/8/-
Water Nuts .. .. .	....9/12/-
Cotton .. .. .	....6/4/-
Indigo and other dyes, Tobacco, Spices & Drugs, Orchards, Vegetables other than trunips	....6/12/-
Gardens .. .. .	....8/4/-
Wheat .. .. .	....5/4/-
Melons & all other Kharif Crops not otherwise specified. Maize Fiberes other than cotton, Barley & Oats, Bejar and Gochani .. .. .	....6/-
Oilseeds and all other Rabi crops not otherwise specified .. .. .	....5/4/-
Bajra, Jowar & Pulses .. .. .	....4/-
Gowar, Fodder Crops Cheena and grass with two and more watering Gram .. .. .	....4/-
Watering for ploughing not followed by a crop (Pelwar) & grass single watering .. .. .	....1/8/-
<i>Non-perennial Channels.</i>	
All Kharif Crops .. .. .	....Same rates as for perennial Channel.
All Rabi crops	
1. First watering .. .. .	....3/-
2. Second Watering .. .. .	....3/-
3. Third or more watering .. .. .	....Same rates as for perennial channels.
4. Watering for ploughing not followed by a crop (Pelwar) .. .. .	....1/8/-

SUB-SCHEDULE B

PART 2

Occupiere's Rates per acre per crop, sanctioned in Bhakra Project & Ghaggar Canal areas.

Perennial Irrigation.

1. Sugarcane .. .. .	....16/8/-
2. Rice .. .. .	....9/-
3. Wheat .. .. .	....6/-
4. Barley .. .. .	....6/-

5. Gram	...	...	...	4/-
6. Maize	...	...	...	6/8/-
7. Cotton	...	...	...	6/12/-
8. Jowar, Goward & Other Fooder crops	...	...	...	4/-
9. Vegetables & Spices	...	...	...	8/4/-
10. Gardens	...	...	...	8/4/-
11. Simm-hemp & grass	...	...	...	4/-
12. All other crops Kharif	...	...	...	6/6/-
13. Rabi oil crops	..	...	...	6/6/-

Non-perennial Irrigation.

- (1) For Kharif crops Same rates as that of perennial irrigation.
- (2) For Rabi crops.
- | | | | | |
|--------------|-----|-----|-----|------------------|
| 1st Watering | ... | ... | ... | 3/- |
| 2nd Watering | ... | ... | ... | 3/- |
| 3rd or more | ... | ... | ... | perennial rates. |
- (3) For Irrigation water taken for ploughing and not followed by any crops.
- | | | | | |
|---------------------|-----|-----|-----|-------------|
| For First watering | ... | ... | ... | 3/- |
| For Second watering | ... | ... | ... | 3/- |
| For Third watering | ... | ... | ... | Full rates. |

PART 14

Occupiers Rates chargeable on all irrigation done from irrigation work which have been constructed after 1st January, 1952 other than from Gang Canal and Bhakra supplies.

S.No.	Name of crop		Rates to be charged	
1. Wheat	Rs. 10/-	per acre per crop.
2. Gram	Rs. 7/-	-do- -do-
3. Barley	Rs. 8/-	-do- -do-
4. Sugar cane	Rs. 22/-	-do- per year.
5. Vegetables	Rs. 12/-	-do- per crop.
6. Gardens	Rs. 12/-	-do- per half year.
7. All other crops	Rs. 7/-	-do- per year.
8. Innundation irrigation if no subsequent watering given.	Rs. 4/-		for all crops.	

NOTE:—Half Rates will be charged if irrigation is done by lift.

PART 3

Occupiers rates chargeable in former Jaipur State area.

Name of crop		Rates	
Sugarcane	...	Rs. 8/-/-	up to 6 watering+Rs. 1/8/- per watering over six.
Water Nuts	...	Rs. 6/6/3	
Rice	...	Rs. 6/6/3	
Indigo & other dyes	...	Rs. 4/-/-	up to 5 watering Re. 1/-/- per water over drugs &
Tobacco Poppy opium	..		

Spices and drugs	...	...	shices. 2/- 1st watering Re. 1/- every additional eater.
Cotton	...	...	Rs. 2/-/- First watering. Rs. 1/-/- Every additional.
Gardens and orchards & vegetables	...	...	Rs. 2/-/- 1st watering.
except Turnips	..	..	Rs. 1/-/- for every additional water- ing.
Melons Fibres (Other than cotton)			Rs. 3/6/3 up-to 3 watering. Rs. 1/8/- per watering. over 3.
Barley & Oats	...	...	Rs. 2/-/- 1st watering. Re. 1/- for every additional.
Wheat Gochani & Bejhar			-do-
Maize	...	...	-do-
Oil seeds	...	...	-do-
Lucerne	...	...	-do-
Pulses	...	...	-do-
Bajra, Grain & Masoor ..			-do-
Jowar, Gwar & fodder crops	...	...	-do-
All crops not specified above : Plowaring not followed by crop	...	...	Rs. 2/-/- -do-

PART 4

Occupiers rates chargeable in former Jodhpur State Area.

Name of crop	Rates
--------------	-------

Sugarcane	6/4/-
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NOTE:—Except water nuts for all other crops Rs. 2/8/- is charged
for one watering and Rs. 6/4/- for 2 to 4 watering.

PART 5

Occupiers rates chargeable in former Jodhpur State (Sendra
Tehsil) Area.

Name of crop	Rates
--------------	-------

Sugarcane	...	...	...	7/13/-
Rice	..	...	...	11/14/-
Indigo & other dyes Tobacco Poppy opium spices ad drugs				7/12/-
Cotton	...	...	...	5/-/-
Gardens and Orchards and Vegetables except turnips				10/15/-
Barley and Oats	...	...	...	5/-/-
Wheat, Gochani & Bejhar	...	...	...	5/-/-
Oilseeds	...	...	...	5/-/-
Lucerne	...	...	...	5/-/-
Bajra, Gram & Masoor	...	...	...	5/-/-

PART 6

Occupiers rates chargeable in former Bundi State Area.

Name of crop	Rates
--------------	-------

NOTE:—Rs. 5/-/- and 3/12/- for all crops.

PART 7

Occupiers rates chargeable in former Karauli State Area.

Name of crop	Rate
--------------	------

Sugarcane	9/10/- and 14/6/- for all other crops 3/4/- from 1 to 3 watering.
-----------	------	------	------	---

PART 8

Occupiers rates chargeable in former Udaipur State Areas.

Name of crop	Rate
--------------	------

Sugarcane	...	...	....	....	14/1/-
Water Nuts	...	...	....	....	9/6/-
Rice	...	...	....	....	3/12/- fixed.
Tobacco	...	...	....	....	14/1/-
Opium	...	...	....	....	7/-/-
Spices	...	...	....	....	14/1/-
Dyes	...	...	....	....	9/13/-
Haldi	...	...	....	....	9/6/-
Cotton	...	...	....	....	5/10/-
Garden	...	...	....	....	14/1/-
Vegetables	...	...	....	....	9/6/-
Barley & Oats	...	...	....	....	3/12/-
Wheat, Gochani & Bejhar	...	...	....	....	4/3/6
Mixed grain	...	...	....	....	3/4/-
Maize	...	...	....	....	2/13/-
Oil seeds	...	...	....	....	5/10/-
Lucerne	Commercial	...	....	....	16/12/-
	Fodder	...	....	....	5/10/-
Pulses	...	...	....	....	2/13/-
Masur	...	...	....	....	4/3/6
Jowar	...	...	....	....	2/13/-
Gwar	...	...	....	....	4/3/6
Fodder	...	...	....	....	2/13/-
Plowaring not followed by crop			....	....	-/12/-

PART 9

Occupiers rates chargeable in former Udaipur State (Umaid-Sagar).

Name of crop	Rate.
1	2

Sugarcane	....	....	....	....	9/10/-
Rice	....	....	....	....	8/-/-
Spices	....	....	....	....	4/10/-
Cotton	....	....	....	....	4/10/-
Garden	....	....	....	....	9/10/-
Vegetable	....	....	....	....	4/10/-

1	2
Barley and Oats ....	... 4/10/-
Wheat, Gochani & Bejhar ....	... 4/10/-
Maize .. ..	. 3/3/-
Oil seeds ... ..	... 4/10/-
Lucerne ... ..	... 3/3/- & 4/10/-
Pulses .. ..	.. 3/3/-
Gram & Bajra ... ..	.. 4/10/- & 3/3/- respectively.
Jowar, Gwar & all fodder crops ...	.. 3/3/-
Plowaring not followed by crop ...	... 2/6/-

PART 10

Occupiers rates chargeable in former Kotah State Area.

Name of crop	Rate
Sugarcane ....	.. 5/-/- Parbati. 6/4/- Other canal.
Water Nuts ....	... 2/8/-
Rice ....	.. 5/-/-
Indigo & other dyes ...	... 5/5/- with pelwar
Tobacco Poppy Opium Spices	... 3/2/- upto 3 watering/Opium
and drugs	6/4/- if over.
Cotton	2/8/-
Gardens & Orchards & vegetables except turnips.	5/5/- with pelwar.
Barley & Oats ....	.. 1/4/- One watering 2/8/- for 2 and over
Wheat, Gochani and Bejhar	... 1/4/- One watering 2/8/- for 2nd and over.
Maize ... ..	.. 2/8/- Summer. 1/9/- Rainy.
Oil seeds ... ..	... 1/8/- One watering 3/-/- for 2 and over.
Lucerne ... ..	.. 1/4/- One watering 2/8/- for 2 and over.
Pulses ....	... 1/9/-
Bajra, Gram & Masoor ...	... 1/4/- one watering 2/8/- for 2 and over.
Jowar, Gwar and all fodder crops	... 1/4/- One watering 2/8/- 2 and over.
All Crops not specified above.	... ..
Plowaring not followed by crop	... 1/4/-

PART 11

Occupiers rates chargeable in former Alwar State Area other than Siliserh Bund.

Name of crop 1			Rate 2
Sugarcane	...	...	...11/3/3
Water Nuts	...	...	...12/12/9
Rice ....	...	...	... 6/6/5
Tobacco	...	...	... 6/6/5
Dyes ....	...	...	... 7/3/3/
Others	...	...	...12/12/9
Cotton	...	...	... 6/6/5
Gardens & Orchards and Vegetables except turnips			12/12/9
Melons, fibres (other than cotton.)			... 4/12/9
Maize	...	...	... 7/3/3
Oil seeds	...	...	... 4/12/9
Lucerne	...	...	... 4/-/-
Barley & Oats	...	...	... 7/3/3
Wheat, Gochani & Bejhar	...	...	... 7/3/3
Pulses	...	...	... 4/12/9
Bajra, Gram & Masoor	...	...	... 4/12/9
Jowar & Gwar	...	...	... 4/12/9
Fodder	...	...	... 4/-/
All crops not specified above	...	...	... 4/12/9
Plowaring not followed by crop	...	...	... 3/3/3

PART 12

Occupiers rates chargeable in former Bharatpur State Area (Baretha Bund Kishan Sagar).

Name of crops			Rate
Sugarcane	....	...	...6/4/-
Water Nuts	....	..	...6/4/-
Rice	....	...	...6/4/-
Indigo & other dyes Tobacco Poppy Opium Spices and Drugs.			5/-/-
Cotton	....	...	.. 6/4/-
Gardens and Orchards & Vegetables except turnips			5/-/
Melons, fibres (other than cotton)		...	...2/8/-
Barley and Oats	...	...	...5/-/-
Wheat, Gochani and Bejhar	...	...	.. 5/-/-
Maize	....	...	...6/4/-
Oil seeds	...	...	...3/2/-
Lucerne	...	...	...3/2/-
Pulses	...	..	.. 2/8/-
Bajra, Gram & Masoor		Gram	.. 3/2/-

	Others. .	.. 2/8/-
Jowar, Gwar & all fodder crops	Fooder	.. 3/2/-
	Others	... 2/8/-
All Crops not specified above	Kharif	. 2/8/-
Plowaring not followed by crop	...	...

PART 13

Occupiers rates chargeable in former Dholpur State Area.

Name of crop		Rate	
1		2	
Sugarcane	...	...	... 14/4/-
Water Nuts	...	...	... 7/2/-
Rice	..	...	7/2/-
Indigo & other dyes	Tobacco	...	9/8/- Zira
Poppy	Opium	spices & drugs	7/2/- Rest.
Cotton	...	...	7/2/-
Gardens and Orchards and Vegetables except turnips			8/5/-
Melons, fibres (other than cotton,	...	...	7/2/-
Barley & Oats	...	...	9/8/-
Wheat, Gochani and Bejhar	...	...	9/8/-
Maize	...	...	7/2/-
Oil seeds	Sarson	...	9/8/-
	Others	...	7/2/-
Lucerne	...	...	7/2/-
Pulses	...	...	7/2/-
Bajra, Gram & Masoor	...	...	7/2/-
Jwar, Gwar & all fodder crops	...	...	7/2/-
All crops not specified above	...	...	7/2/-

Rajasthan Irrigation and Drainage Rules, 1955

Irrigation Department

Jaipur, January 7, 1966

Notification No. 28(3) Irg /65.—In exercise of the powers conferred by clause (d) of sub section (1) of section 60 read with section 36 of the *Rajasthan Irrigation and Drainage Act, 1954* (Rajasthan Act 21 of 1954) the State Government hereby makes the following amendment to the Rajasthan Irrigation and Drainage Rules, 1955, namely:—

AMENDMENT

For item 7, appearing under Part I of Schedule II of the said rules, the following shall be substituted, namely:—

“7. Lift or seepage Irrigation.—Where irrigation is by lift or seepage, half the rates provided in this schedule shall be charged. If the lift is done by the Government the charge will be Rs. 8/- per acre for each watering taken, subject to a minimum of Rs. 10/- per acre”.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 3-3-66—Page 598]

Irrigation Department

Jaipur, July 15, 1966

Notification No. F. 9 (64)Irg./63.—In exercise of the powers conferred by clauses (d) and (e) of sub-section (1) of section 60 read with section 26 of the *Rajasthan Irrigation and Drainage Act, 1954* (Rajasthan Act 21 of 1954), the State Government hereby makes the following amendment to the Rajasthan Irrigation and Drainage Rules, 1955, namely:—

AMENDMENT

In the Schedule II, for part III, the following shall be substituted, namely:—

PART III

Rates per acre per crop in Bhakra Project
and Ghaggar Canal areas.

<i>Name Crop</i>	<i>per acre</i>
Sugar cane	Rs. 16.50
Rice	Rs. 9.00
Wheat	Rs. 6.00
Barley	Rs. 6.00

Gram	Rs. 4.00
Maize	Rs. 6.50
Cotton	Rs. 7.75
Jawar, Gowar and other Fodder crops.	Rs. 4.00
Vegetables and spices except zeera	Rs. 8 25
Zeera	Rs. 9.25
Gardens	Rs. 8 25
Simmhemp and grass	Rs. 4.00
All other Kharif crops	Rs. 6. 7
Rabi oil crops	Rs. 6.37

For irrigation water taken for ploughing and not followed by any crop:—

(i) for first watering	Rs. 3.00
(ii) for second watering	Rs. 3 00
(iii) for third watering	Same as that of perennial irrigation.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 6-4-67—Page 4]

IRRIGATION AND DRAINAGE ACT, 1954.

Published in Raj. Raj-patra Dated September 13, 1956 *part 1 (b) at page 543 to 546 :*

Irrigation Department

NOTIFICATION

Jaipur, July 31, 1956.

No. 9248/F. 2(188) *Irg./51*—In exercise of the powers conferred by sections 3 and 4 (1) of the Rajasthan Irrigation & Drainage Act, 1954 (Act No. XXI of 1954), the Government of Rajasthan is pleased to divide the State of Rajasthan in the Circles, Divisions and Sub-Divisions as given respectively in columns 1, 2 and 3 of the table annexed here under and to appoint in them the Officers shown in the columns Nos. 4, 5 and 6 to the Officers under which head they are shown in the said table respectively.

By order of

His Highness the Rajpramukh,

BALWANT SINGH,

Secretary to Government.

Circle.	Division.	Sub-division.	Superintending Irrigation Officer.	Divisional Irrigation Officer.	Sub-Divisional Irrigation Officer.
1	2	3	4	5	6
Irrigation boundaries of Gang Canal and Bhakra Project Circle.	...	...	Superintending Engineer Irrigation, Ganganagar.	...	...
	Divisional Irrigation boundary of Gang Canal Division.		Superintending Engineer Irrigation, Ganganagar.	er Gang Canal, Sri Ganganagar.	

1-Shivpur.	-do-	-do-	Asstt. Engineer Irrigation, Shivpur.
2-Karanpur	-do-	-do-	Asstt. Engineer Irrigation, Karanpur.
3-Padampur	-do-	-do-	Asstt. Engineer Irrigation, Padampur.
4-Raisinghnagar	-do-	-do-	Asstt. Engineer Irrigation, Raisinghnagar.
5-Jetsar	-do-	-do-	Asstt. Engineer Irrigation, Jetsar.
....	-do-	-do-	....
Divisional Irrigation boundary of Ghaggar Division, Bhakra Project.			Executive Engineer Ghaggar division, Hanumangarh.
1-Shadulshahr	-do-	-do-	Asstt. Engineer, Shadulshahr.
2-Sangaria	-do-	-do-	Asstt. Engineer, Sangaria.
3-Hanumangarh	-do-	-do-	Asstt. Engineer, Hanumangarh.
4-Khara	-do-	-do-	Asstt. Engineer, Khara.
....	-do-	-do-	....
Divisional Irrigation boundary of			Executive Engineer Pilibangan, Hanumangarh.

Pilibangan
Division,
Bhakra Pro-
ject.

1-Ghaggar	-do-	-do-	Asstt. Engineer, Ghaggar.
2-Dholipal	-do-	-do-	Hanumangarh. Asstt. Engineer, Dholipal.
3-Pilibangan	-do-	-do-	Asstt. Engineer, Pilibangan.
....	-do-	Executive Engi- neer Bhadra.	....

Divisional
Irrigation
boundary of
Bhadra Di-
vision Bha-
kra Project.

1-Bhadra	-do-	-do-	Asstt. Engineer, Bhadra.
2-Ujjalbas	-do-	-do-	Asstt. Engineer, Ujjalbas Nohar.
3-Sherekan	-do-	-do-	Asstt. Engineer, Sherekan Tibby.

Irrigation bo-
undaries of
Jaipur circle.

....	Superintending Engineer Irri- gation, Jaipur.	....	....
....	-do-	Executive Engine- er Irrigation, Alwar.	....

Divisional
Irrigation
boundary

of Matsya Division.	1-Alwar	Superintending Engineer Irriga- tion Jaipur.	Executive Engine- er Irrigation, Alwar.	Asstt. Engineer Irri- gation, Alwar.
	2-Bharatpur	-do-	-do-	Asstt. Engineer Irri- gation Bharatpur.
	3-Neem-ka-thana	-do-	-do-	Asstt. Engineer Irri- gation, Neem-ka- Thana.
Divisional. Irrigation boundary of Jaipur East Div.	1-Jaipur East	-do-	Executive Engine- er Irrigation, East Div, Jaipur.	Asstt. Engineer Irri- gation, Jaipur East, Jaipur.
	2-Karauli	-do-	-do-	Asstt. Engineer Irri- gation, Karauli.
		-do-	Executive Engine- er Irrigation, West Division, Jaipur.	
Divisional Irrigation boundary of Jaipur West Division.	1-Jaipur West	-do-	-do-	Asstt. Engineer Irri- gation, Jaipur West, Jaipur.
	2-Tonk	-do-	-do-	Asstt. Engineer, Irri- gation, Tonk.

Divisional Irrigation boundary of Kota Irriga- tion Division	-do-	Executive Engineer Irrigation Kota Division, Bundi.	
	1-Bundi	-do-	Asstt. Engineer Irrigation, Bundi.
	2-Jhalawar	-do-	Asstt. Engineer Irrigation, Jhalawar.
	3-Kota	-do-	Asstt. Engineer Irrigation, Kota, Baran.
Irrigation boundary of Udaipur circle.		Superintending Engineer Irriga- tion Udaipur	
	-do-	Executive Engi- neer Irrigation, Udaipur.	
	1-Udaipur	-do-	Asstt. Engineer Irrigation, Udaipur.
	2-Chittorgarh	-do-	Asstt. Engineer Irrigation, Chittorgarh.
Divisional Irrigation boundary of	3-Banswara	-do-	Asstt. Engineer Irrigation, Banswara.
	-do-	Executive Engi- neer Irrigation, Kankroli.	

Bhilwara division.	1-Bhilwara	-do-	-do-	Asstt. Engineer Irrigation, Bhilwara.
	2-Rajsamand	-do-	-do-	Asstt Engineer Irrigation, Rajsamand, Kankroli.
	3-Shahpura	-do-	-do-	Asstt. Engineer Irrigation, Shahpura.
Divisional Irrigation boundary of Jawai Canal Division.	Superintending Engineer, Irrigation Udaipur			Executive Engineer Jawai Canal Division, Erinpura Road.
	1-Jodhpur	-do-	-do-	
	2-Sirohi	-do-	-do-	
	3-Jawai Canals	-do-	-do-	
4-Jawai Dam				Asstt. Engineer Irrigation Jawai Canal, Takhatgarh.
				Asstt. Engineer Irrigation, Jawai Dam, Erinpura Road.

Notifications under.

RAJASTHAN IRRIGATION AND DRAINAGE ACT, 1954.

Published in Raj. Raj-patra part I (b) dated July 30, 1959 at page 251

Irrigation Department

NOTIFICATION

Jaipur, July 13, 1959.

No. D. 5908/F 6(67) Ir/59.—Whereas it appears to the State Government that injury to lands, public health and public convenience is likely to be caused from obstructions on the natural stream feeding the Galjor Bund in Tehsil Phalodi (Distt. Jodhpur) Now, therefore, in exercise of powers conferred under section 42 of the Rajasthan Irrigation and Drainage Act, 1954 (Rajasthan Act No. XXI of 1954), the State Government hereby prohibits the formation of any new obstructions and order the removal of old obstructions from the source of the said nullah at one extremity to the point it meets the Galjor Bund at the other extremity.

By Order of the Governor,

A. K. ROY,

Secretary to the Government.

Published in Raj. Raj-patra part IV (c) at page 30

Irrigation Department

ORDER

Jaipur, July 13, 1960

No. F. 4 (46) Ir/60.—It was represented to the Government that water rates were charged on lands in district Bharatpur even though water was not supplied through controlled channels but where the area was inundated by floods in the natural course and in respect of bed area of breached tanks and the commanded area of such tanks where water had overflowed through breaches. This question has been examined by a committee appointed by the Government. The Governor has, therefore, on the recommendations of the Committee, been pleased to order.

(a) that is the bed of the tanks and bunds where cultivation takes place, the practice already in force of charging the prescribed irrigation dues on matured crops should continue;

(b) that in other areas, i. e. below the bunds or tanks which came under inundation owing to floods, irrigation rates may be charged at half the rates in years when as a result of excessive rain

2] Notification under Rajasthan Irrigation and Drainage Act, 1954.

the area is declared by the Government as flood affected. , Such a declaration was made in the year 1958-59 in respect of affected areas. The Committee considers that this concession will give some compensation for the damage caused to Kharif crops by floods while justifying realisation from fields inundated by floods from breaches. This concession will, of course not apply to areas irrigated by regulator channels from storage tanks etc,

By Order,
GOVERDHAN SINGH
Secretary to the Government.

Notifications under

Rajasthan Irrigation and Drainage Act, 1954.

Published in Raj. Raj-patra part I (b) dated July 27, 1961 at pages 110.

Irrigation Department

NOTIFICATION.

Jaipur, June 13, 1961.

No. F. 8 (96) Irg./60.—In exercise of the powers conferred by section 18 A of the Rajasthan Irrigation and Drainage Act, 1954 (No. 21 of 1954) the State Government hereby orders that the provisions of the said section shall apply forthwith to the areas Commanded by the Irrigation projects of the following Districts, as specified in the schedule hereto:—

1. Udaipur.
2. Chittorgarh.
3. Banswara.
4. Dungarpur.
5. Bhilwara.
6. Jaipur.
7. Sawai Madhopur.
8. Bundi.
9. Pali.
10. Sirohi.
11. Jalore.
12. Alwar.
13. Kota.
14. Jhalawar.
15. Bharatpur.

SCHEDULE

Name of Project. 1	Name of Tehsil. 2	Name of District. 3
Kejar.	Sarada.	Udaipur.
Gadola.	Partapgarh	Chittorgarh
Makhanpura.	Ghantol.	Banswara.
Bhem-Ka-Naka.	Sagwara.	Dungarpur.
Lodisar-Ka-Naka.	Sagwara.	Dungarpur.
Bagolia.	Mavli.	Udaipur.
Jharol.	Phalasia.	Udaipur.
Govta.	Mandalgarh.	Bhilwara.
Kala Bhata.	Bhim.	Udaipur.
Gambhiri.	Nimba Khera.	Chittor.
	Chittor & Gangrar.	

1	2	3
Namano-Cum-Madri.	Nathdwara, Rajsamand,	
Bhandari.	Reilmagra.	Udaipur.
Jhilmili.	Sikrai.	Jaipur.
Bhagwatgarh.	Dausa	"
Mui.	Sawai-Madhampur.	Sawai-Madhampur.
Kalakho.	-do-	-do-
Mamchari.	Dausa.	Jaipur.
Jaitpura.	Karauli.	Sawai-Madhampur
Neendar.	Khandar.	-do-
Kalisil.	Karauli.	-do-
Juggar.	Sapotra.	-do-
Surwal.	Hindaun.	-do-
Morel.	Sawai-Madhampur.	-do-
Dakhia.	Bonli & Lalsot.	-do-
Galwa.	Tonk.	Tonk.
Mashi.	Aligarh.	-do-
Meja.	Tonk.	-do-
Sareri	Bhilwara, Mandel & Banera.	Bhilwara.
Arwar.	Banera, Shahpura & Hurda.	-do-
Khari.	Shahpura.	-do-
	Asind, Hurda & Beawar.	-do-

Published in Raj. Raj-patra part I (b) dated June 25, 1961 at page 64 :

Irrigation Department

NOTIFICATION

Jaipur, May 1, 1961.

No. F. 8 (96)-Irg./60.—In exercise of the powers conferred by section 18 A of the Rajasthan Irrigation and Drainage Act, 1954 (No. 21 of 1954), the State Government hereby orders that the provisions of the said section shall apply forthwith to the areas commanded by the Galwa, Galwania, Mashi, Dakia and Motisagar projects of the Tonk District as specified in the scheduled hereto.—

By Order of the Governor,

M. P. SHUKLA,

Dy. Secretary to the Government.

SCHEDULE

List of Irrigation villages under command of Galwa, Galwa-Mutashi, Dakhiyai and Motisagar Projects.

S. No.	Name of villages.	S. No.	Name of villages.
1	2	1	2

Under Galwa Bund.

1. Uniara.	19. Sendri.
2. Uniari.	20. Ramjan Ganj.
3. Dabla.	21. Kunder.
4. Balithal.	22. Kerod.
5. Udaipura.	23. Kishanganj.
6. Kundia.	24. Banetha.
7. Deori.	25. Rooppura.
8. Laxmipura.	26. Bajolia.
9. Badodia.	27. Bijaygarh.
10. Chitani.	28. Chainpura.
11. Parwan.	29. Hukampura.
12. Barudhan.	30. Khelnia.
13. Kholia.	31. Dhikoliya.
14. Harduttapura.	32. Mandaliya.
15. Bundi.	33. Gobindpura.
16. Soonthra.	34. Serlid.
17. Raghunath Pura.	35. Thikeriya.
18. Ramnagar.	36. Paunders.

Published in Raj. Raj-patra part IV (c) dated October 9, 1961 at page 185

Rajasthan Canal Project Department

NOTIFICATION

Jaipur, October 9, 1961.

No. F. 4(12) RCPD/61.—In exercise of the powers conferred on it by sub-sections (2) and (3) of section 4 of the Rajasthan Irrigation and Drainage Act, 1954 (Rajasthan Act 21 of 1954), the State Government hereby does, for the purposes of the said Act.—

(a) create a new circle called “Hanumangarh Circle” comprising the entire area surrounded by the irrigation boundaries of the Rajasthan Canal Project.

(b) orders that the circle so created shall consist of two divisions, Rawatsar and Talwara, each being also a sub-division.

(c) appoints the Superintending Engineer, Hanumangarh circle, Hanumangarh, to be the Superintending Irrigation Officer to exercise control over all irrigation and drainage works in the circle so created.

(d) appoints the Executive Engineer, Rawatsar Division, Rajasthan Canal Project. Hanumangarh, to be the Divisional Irrigation Officer to exercise control over all irrigation and drainage works in the Rawatsar Division,

4] **Notifications under Rajasthan Irrigation and Drainage Act, 1954**

(e) appoints the Executive Engineer, Talwara Division, Rajasthan Canal Project, Hanumangarh, to be the Divisional Irrigation Officer to exercise control over all irrigation and drainage works in the Talwara Division.

(f) appoints the Assistant Engineer, Rawatsar Sub-division, to be the Sub-Divisional Irrigation Officer to exercise control over all irrigation and drainage works in the Rawatsar sub-division, and

(g) appoints the Assistant Engineer, Talwara sub-division, to be the Sub-Divisional Irrigation Officer to exercise control over all irrigation and drainage works in the Talwara sub-division.

Notifications under

**RAJASTHAN IRRIGATION AND DRAINAGE (AMENDMENT)
ACT, 1960.**

Published in Raj. Raj-patra part I (b) dated September 8, 1960 at page 287

Irrigation Department

NOTIFICATION

Jaipur, August 19, 1960.

No. F. 8 (96) Irg./60.—By virtue of the powers vested in the State Government by section 18 (A) of the Rajasthan Irrigation and Drainage (Amendment) Act, 1960 (Act XXI of 1960), the State Government hereby notifies that the provisions of the said section shall apply with immediate effect to the territory commanded by the Chambal Irrigation Project *viz*, tehsils of Bundi, Talera, and Patan of district Bundi and tehsils of Ladpura, Digod, Anta, Barod, Mangrol, Itawa, Pipalda and Baran of district Kota.

By order of the Governor,
GOVERDHAN SINGH,
Secretary to the Government.

Rules and Notifications under

JAIPUR CUSTOMS ACT, 1943.

Notification under

JAIPUR CUSTOMS ACT 1943

Finance (Rev. and Eco. Affairs) Dept.

Commercial Taskes Section

Jaipur, May 17, 1966

Notification No. F. 5(21) FD (CT)/66.—In exercise of the Powers conferred by clause (b) sub-section (1) of section 5 of Jaipur Customs Act, 1943 (Act No. XLV of 1943) the Governor of Rajasthan hereby appoints the following officers, by virtue of their office, to be Assistant Commissioners for the areas specified against each for adjudicating pending Customs Duty cases under the said Act :—

S. No.	Designation of Officer	Area of Jurisdiction.
1.	The Commercial Taxes Officer, Sikar.	Revenue Districts of Sikar and Jhunjhunu.
2.	The Commercial Taxes Officer, Circle 'A', Jaipur	Revenue District of Jaipur.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 17-5-66-Page 52]

Rules and Notifications under

JODHPUR UNIVERSITY ACT, 1962. (RAJASTHAN ACT,
17 OF 1962).

FIRST STATUTES UNDER Jodhpur University Act, 1962

Education Department Cell-1
NOTIFICATION

Jaipur, November 30, 1962.

No. F. 2 (31) *Edn./Cell-I/60*.—In exercise of the powers conferred by sub-section (1) of section 22 of the Jodhpur University Act, 1962 (Rajasthan Act 17 of 1962), the State Government hereby makes the following first statutes of the Jodhpur University, namely:—

1. *Definition*.—In these Statutes, unless there is anything repugnant in the subject or context—

(a) 'The Act' means the Jodhpur University Act, 1962 and 'Section' means a Section of the Act; and

(b) 'Officers', 'authorities', 'teachers', and 'Ministerial and other staff' mean, respectively officers, authorities, teachers and ministerial and other staff in the University.

2. *Senate-Composition and term of office*.—(1) The Senate shall consist of the following persons, namely:—

Mode of election.

I. Ex-officio Members.

- (i) the Chancellor,
- (ii) the Vice-Chancellor,
- (iii) all former Vice-Chancellors,
- (iv) Vice-Chancellors of other Universities in Rajasthan,
- (v) the Registrar,
- (vi) the Deans of Faculty,
- (vii) the Chief Justice of Rajasthan High Court, Jodhpur,
- (viii) the Minister for Education, Rajasthan,
- (ix) the Chairman, Board of Secondary Education, Rajasthan,
- (x) the Director of College Education, Rajasthan,
- (xi) the Director of Education (Primary and Secondary), Rajasthan,
- (xii) the Director of Technical Education, Rajasthan,
- (xiii) two members, not below the rank of the Head of the following Departments, to be nominated by the State Government, by rotation:—
 - (i) Medical,

- (ii) Industries and Commerce,
- (iii) Forest,
- (iv) Public works,
- (v) Mines and Geology, and
- (vi) Development and Planning,
- (xiv) all the Members of the Syndicate,
- (xv) all the Heads of University Departments of the status of a Professor or a Reader,
- (xvi) one Principal/Head of constituent or recognised colleges, institutions elected by the Principals of such colleges/institutions from amongst themselves,
- (xvii) one member of the State Legislature nominated by the Speaker,
- (xviii) one member each nominated by the Ministry of Defence (i) Research and Development Organisation, (ii) Oil and Gas Commission and (iii) the Central Arid Zone Research Institute, Jodhpur,
- (xix) Chairman, Jodhpur Municipal Board/Corporation.
- (xx) not more than two members to be nominated by the State Government.

II. Life Members.

- (xxi) every person, who had made a donation to the University at any one time of an amount of, or of property valued at, one lakh rupees or more, or a representative nominated in this behalf by such person during his life time:

Provided that in the case of the donor being a corporate body the membership shall last for a period of 20 years from the date of acceptance by the University of such donation.

III. Other Members

- (xxii) two persons elected by the Academic Council from amongst its members,
- (xxiii) two persons, not being teachers, elected by the registered graduates of the University from amongst themselves,
- (xxiv) two persons elected by teachers other than the Heads of University Departments and Principals/Heads of constituent/recognised colleges/institutions from amongst themselves,
- (xxv) persons who have rendered distinguished service to education, not exceeding two in number, nominated by the Chancellor,
- (xxvi) two persons nominated by the State Government, and

(xxvii) two persons in number to be elected by Senate belonging to any of the following professions, namely:—

- (i) Law,
- (ii) Medicine,
- (iii) Engineering and Technology,
- (iv) Industry and Commerce,
- (v) Forestry,
- (vi) Auditing and Accountancy.

Explanation.—None shall be regarded as eligible for election under the foregoing clause (xxvii) unless he (a) holds qualifications entitling him to practise the profession concerned, (b) has prior to the date fixed for the return of nomination of persons for election under this clause, practised the profession concerned for not less than five consecutive years, and (c) resides within area over which the University has its territorial jurisdiction under section 5 of the Act.

Till persons in sub-clauses (xxii), (xxiii) and (xxvii) are elected, their places will be temporarily filled by persons nominated by the Chancellor.

(2) If any body of persons entitled to elect a member fails to do so within the time prescribed by the Senate, the Senate may appoint as member any person whom that body of persons could have elected as a member.

(3) Members of the Senate other than ex-officio members and life members shall hold office for a period of five years.

(4) The election of the two persons by the Academic Council from amongst its members shall be on the basis of simple majority.

(5) For the purpose of sub-clause (xxvii) (d) also, the system of election by simple majority shall be followed.

Registration of Graduates.

(6) 'Registered graduate' means a graduate registered under the provisions of the Act.

(7) The Syndicate shall, with the concurrence of not less than two-thirds of the members of the Senate, have power to remove the name of any person from the register of registered graduates.

(8) The following persons shall, on payment of such fees as specified in Statute 9 (2), be entitled to have their names enrolled in the register of registered graduates:—

- (i) Graduates of the University of Jodhpur of three years' standing and upwards (counted from the date of passing), that have taken their degree at a convocation or in absentia.

- (ii) For a period of five years from the commencement of the Act, all graduates of 3 years' standing or upwards of any Indian University incorporated by any law for the time being in force or of any other University which may be approved for this purpose by the Syndicate, provided (i) they belong to the State of Rajasthan by birth or domicile, or (ii) they have studied in any of the degree colleges, which were handed over to the University of Jodhpur at the time of establishment, or

(iii) They are members of the staff of the University.

Note:—The time limit imposed by this clause related to applications for enrolment and not to continuance as registered graduates of those enrolled.

(9) (i) Applications for enrolment in the register of registered graduates shall be made by the applicant himself to the Registrar in the form provided for the purpose

N.B.—The words 'made by the applicant himself' mean that the application for registration is to be signed by the applicant himself and not by any one else on his behalf. The application may, of course, be sent to the University either in person, or by registered post.

(ii) Each applicant shall send with the application a fee of Rs. 10/- for registration.

(iii) On receipt of the application the Registrar, if he finds that the applicant is duly qualified, shall cause the name of the applicant to be entered in the register.

(iv) No graduate shall be enrolled during a period of two months immediately preceding an election of registered graduates to the Senate.

(v) Every registered graduate shall inform the Registrar in writing of all changes in his permanent address.

(10) Election of Registered Graduates.

The members to be elected under Statute 2 (xxiii) b, shall be elected in accordance with the system of proportional representation by means of a single transferable vote and in the manner prescribed by Ordinances.

3. *Meeting of the Senate.*—(1) The Senate shall, on a date to be fixed by the Vice-Chancellor, meet once a year at a meeting to be called 'Annual meeting of the Senate'. At such annual meeting any vacancies among the officers of the University or among the members of the Senate or the Syndicate or the Finance Committee which ought to be filled by the Senate shall be so filled up.

(2) The Vice-Chancellor may, whenever, he thinks fit, and shall, upon the requisition in writing signed by not less than 20 members of the Senate, convene a special meeting of the Senate.

(3) A report of the working of the University during the previous year, together with a statement of receipt and expenditure, balance sheet as audited, and the financial estimates shall be presented to the Senate at its annual meeting.

4. *Syndicate Composition and term of office.*—(1) The Syndicate shall be the executive body of the University and shall consist of the following persons, namely:—

(i) the Vice-Chancellor,

(ii) the Chief Justice, Rajasthan High Court, Jodhpur,

(ii) two Deans nominated by the Vice-Chancellor in rotation:

Provided that no Dean shall be nominated for two successive terms,

(iv) the Director of College Education, Rajasthan,

(v) two educationists to be nominated by the Chancellor,

(vi) two University Professors nominated by the Vice-Chancellor:

Provided that no University Professor shall be nominated for two successive terms, and

(vii) two members of the Senate being non-teachers, elected by the Senate, one of whom shall be a registered graduate.

(2) The term of office of the elected and nominated members of the Syndicate shall be three years.

(3) Five members of the Syndicate shall form a quorum.

5. (1) The Syndicate shall, subject to the control of the Senate, manage and administer the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Syndicate shall, in addition to all other powers vested in it, have the following powers, namely:—

(i) to appoint, from time to time the Registrar, Librarian, Principals of Colleges and Heads of Institutions established by the University, and such Professors, Readers, Lecturers and other members of the teaching staff as may be necessary and the recommendations of the Selection Committee constituted for the purposes:

Provided that no action shall ordinarily be taken by the Syndicate in respect of the number, and qualifications, and the emoluments of teachers otherwise than after consideration of the recommendations of the Academic Council.

(ii) to appoint members of the administrative staff or to delegate the power of appointment to such authority or authorities or officer or officers as the Syndicate may,

from time to time, by resolution, either generally or specifically direct;

- (iii) to grant leave of absence to any officer of the University, other than the Chancellor and the Vice-Chancellor, and to make the necessary arrangements for the discharge of the functions of such officer during his absence;
- (iv) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University and, for that purpose to appoint such agent as it may think fit;
- (v) to invest any money belonging to the University including any unapplied income, in such Government stocks, funds shares or securities at it may, from time to time, think fit or in the purchase of immovable property in India, with the like power of varying such investments from time to time on the advice of the Finance Committee;
- (vi) to transfer or accept transfer of any movable or immovable property on behalf of the University;
- (vii) to arrange for the provision of the buildings, premises; furniture and apparatus and other means needed for carrying on the work of the University;
- (viii) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (ix) to entertain and address any grievances of the officers of the University, the teaching staff, and the University's servants, who may, for any reason, feel aggrieved, otherwise than by act of the Senate;
- (x) to publish lists of prescribed or recommended text-books, and publish syllabi of the prescribed courses of study;
- (xi) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act or the Statutes.

6. *Academic Council.—Composition and term of office.*—(1) The Academic Council shall consist of the following members, namely:—

- (i) the Vice-Chancellor;
- (ii) the Deans of the Faculties;
- (iii) The Heads of University departments of the status of Professor or Reader or Principals of colleges and Institutions admitted to the privileges of the University;
- (iv) two members of the teaching staff of the University, Colleges and Institutions elected by their teachers;

- (v) three persons, co-opted by the Academic Council who possess special attainments in particular fields of study and are not employees of the University colleges and Institutions.

(2) The term of office of the members of the Academic Council, other than ex-officio members, shall be three years.

(3) Fifteen members of the Academic Council shall form a quorum.

7. Subject to the Act, the Statutes and the Ordinances the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:--

(i) to report on any matter referred to or delegated to it by the Senate or the Syndicate;

(ii) to make recommendations to the Syndicate with regard to—

(a) the creation of teaching posts in the University and Colleges and Institutions maintained by the University and the abolition thereof; and

(b) the classification of the posts referred to in sub-item (a) and their duties attached thereto;

(iii) to formulate and modify or revise schemes for the organisation of Faculties and to assign to such Faculties their respective subjects and also to report to the Syndicate as to the expediency of the abolition or sub-division of any Faculty or the combination of one Faculty with another;

(iv) to make arrangements for the instruction and examination of persons not being members of the University as may be necessary;

(v) to promote research and specialised studies within the University, through a Research Board formed for the purpose and consisting of the following:—

1. Vice-Chancellor

Chairman,

2. Deans of the Faculty concerned,

3. Head of the Department concerned.

and to require, from time to time, reports on such research and specialised studies;

(vi) to recognise diplomas and degrees of other Universities and Institutions and to determine their corresponding value in relation to the diplomas and degrees of the Jodhpur University;

(vii) to fix, subject to any conditions accepted by the Senate, the time, mode and conditions of award of fellowships, scholarships, medals and other prizes and to award the same;

(viii) to make recommendations to the Syndicate in regard to fixation of fees, emoluments and travelling and other expenses of the Examiners;

(ix) to suggest the conduct of examination and to propose dates for holding them;

(x) to recommend institution for stipends, scholar-ships, medals and prizes and to make other awards in accordance with the Ordinances and such other conditions as may be attached to the awards;

(xi) to suggest such forms and registers as are, from time to time, to be prescribed by the Act, and

(xii) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of the Act, the Statutes and the Ordinances.

8. *Faculties—Composition and term of office*—(1) (a) Each Faculty shall consist of such Departments of studies as may be assigned to it by the Statutes;

(b) Each Department shall consist of the following members, namely:—

(i) teachers of the Department;

(ii) persons appointed to conduct research in the Department;

(iii) honorary Professors, if any, attached to the Department;

(iv) such other persons as may be members of the Department in accordance with the provisions of the Statutes;

(c) Each Department shall have a Head who may be a Professor or, if there is no Professor, a Reader and whose duties and functions and terms and conditions of appointment shall be prescribed by the Ordinances:

Provided that if there are more Professors or, as the case may be, Readers, than one in any Department no persons shall be appointed to be the Head of any Department except in accordance with the provisions made in respect thereof by the Statutes:

Provided further that if there is no Professor or Reader in a Department, the senior most teacher shall act as the Head of that Department.

(2) The University may have the following Faculties:—

(i) Arts—(English, Sanskrit, Hindi, History, Philosophy and Music);

(ii) Social Sciences—(Economics, Sociology, Political Science, Geography);

(iii) Science;

(iv) Commerce;

- (v) Engineering;
- (vi) Law;
- (vii) Education;

and such other Faculties as may be constituted from time to time:

Provided that till separate Faculties are established two or more Faculties may be grouped together.

(3) Each Faculty shall consist of the following members, namely:—

- (i) Deans of the Faculty;
- (ii) Professors and Readers in the subjects assigned to the Faculty in the University;
- (iii) All Heads of Departments of subjects within the purview of the Faculty in the colleges and institutions of the degree standard atleast, provided that they have atleast eight years experience of teaching degree classes in a subject of the Faculty;
- (iv) One or two teachers according to the strength of the Department by rotation, according to seniority from each Department of the Faculty; provided that the teacher has atleast five years of teaching experience of degree classes in a subject of the Faculty;

Note.—There shall be only one teacher where the strength of the Department, is less than 10 including the Heads of the Department;

- (v) two persons co-opted by the Faculty concerned from among persons who are not teachers in the University or in any of its colleges and institutions.

(4) The members of a Faculty, other than ex-officio members, shall hold office for a period of three years.

(5) The conduct of the meeting of a Faculty and the quorum required for each Faculty shall be prescribed by the Statutes and regulations.

9. *Powers of the Faculties.*—Faculties shall have such powers and shall perform such duties as may be assigned to them by the Statutes and the Ordinances. They shall also consider and make such recommendations to the Academic Council on any question pertaining to their respective spheres or work as may be referred to them by the Academic Council.

10. *Finance Committee—Composition and term of office.*—(1) The Finance Committee shall consist of the following members, namely:—

- (i) the Vice Chancellor (ex-officio Chairman);
- (ii) two persons (being experts in financial matters) nominated by the Chancellor;

- (iii) two persons, not employees of the University or a recognised college or institution elected by the Syndicate. Registrar shall be non-member Secretary of the Finance Committee.

(1) (a) Three persons of the Finance Committee shall form a quorum.

(2) The Chancellor's nominee, as well as the member elected by the Senate, shall hold office for a term of three years.

(3) A member of the Finance Committee shall have the right to record a minute of dissent if he dissents from his colleagues.

(4) The Finance Committee shall meet at least twice a year to examine the accounts and scrutinise proposals for expenditure.

(5) The annual accounts and the financial estimates of the University prepared by the Registrar shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Syndicate for approval.

(6) The Finance Committee shall suggest limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which in the case of productive work, may include the proceeds of loans). The expenditure incurred by the University shall be within the limits so suggested.

11. *Standing Committees.*—Subject to the provisions of the Act and the Statutes, any authority of the University may, from time to time, appoint such and as many standing committees or sub-committees or boards as it may deem fit and may, if it deems fit, appoint to them persons who are not members of such authority. Such Committees and boards may deal with any subject delegated to them, subject to subsequent confirmation by the authority appointing them.

12. *Vice-Chancellor.*—In pursuance of section 12 (8) of the Act, the following powers shall also be exercised by the Vice-Chancellor:—

(i) The Vice-Chancellor shall appoint Examiners on the advice of an Examination Committee consisting of the Vice-Chancellor himself, the Dean of the Faculty concerned and the conveners of Committees of Courses and Studies concerned; Moderators will however be appointed by the Vice-Chancellor;

(ii) he will also appoint Tabulators and Checkers;

(iii) the Vice-Chancellor shall declare results of various Examinations conducted by the University on the advice of the Results Committee which shall consist of the Vice-Chancellor, the Registrar and the Dean of the Faculty concerned or in his absence one member of the Syndicate to be nominated by the Vice-Chancellor;

(iv) All powers relating to the maintenance of discipline in the University shall rest with the Vice-Chancellor

13. *Registrar* — (1) The Registrar shall be appointed by the Syndicate on the recommendation of the Selection Committee consisting of the following, namely:—

- (i) the Vice Chancellor;
- (ii) one person to be nominated by the Syndicate (from amongst its Members); and
- (iii) an educationist to be nominated by the Chancellor for each appointment.

(2) The emoluments and conditions of service of Registrar shall be such as may be determined by the Syndicate.

(3) The Registrar shall be ex-officio Secretary of the Senate, the Syndicate, the Academic Council, but shall not be a member of the Syndicate and the Academic Council.

(4) It shall be the duty of the Registrar:—

- (a) to be custodian of the records, common seal and such other property of the University as the Syndicate shall commit to his charge;
- (b) to issue all notices convening meetings of the Senate, the Syndicate, the Academic Council, the Finance Committee, the Faculties, the Committees of Courses and other committees appointed by the Authorities of the University;
- (c) to keep the minutes of all meetings of the Senate, the Syndicate, the Academic Council, the Finance Committee;
- (d) to conduct the official correspondence of the Senate, the Syndicate, the Academic Council and the Finance Committee;
- (e) to arrange for and superintend the examinations of the University;
- (f) to supply to the Chancellor copies of the agenda of the meetings of the Authorities of the University as soon as they are issued, and the minutes of meeting of Authorities, ordinarily within a month of the holding of the meeting;
- (g) in an emergency, when the Vice-Chancellor is not able to act, to call a meeting of the Syndicate forthwith and to take its directions for carrying on of the work of the University;
- (h) subject to the control of the Syndicates, manage the property and investments of the University and be responsible for the preparation of, the annual accounts and the financial estimates and for their presentation to the Syndicate and the Senate;

- (i) Subject to the powers of the Syndicate be responsible for seeing that all monies are expended on the purpose for which they are granted or allotted;
- (j) sign all contracts made on behalf of the University;
- (k) to perform such other duties as may, from time to time, be assigned to him by the Syndicate.

14. *Deans*.—(1) There shall be a Dean of each Faculty who shall be appointed by the Vice-Chancellor in the following order of preference, namely:—

- (i) Professors in the university or Principals of Colleges and Heads of institutions by seniority;
- (ii) Readers in subjects in which there are no Professors in the University.

Note:—1. The Principal or the teacher to be appointed Dean must profess a subject included in the Faculty concerned.

2. In case, in any Faculty, no person satisfies the above qualifications for being nominated as Dean, the Vice-Chancellor shall nominate a Senior Teacher as Dean in the Faculty.

(2) The Dean shall hold office for a term of three years and no person shall be eligible for re appointment as Dean until a period of atleast three years has elapsed after the expiry of his last term:

Provided that the Vice-Chancellor may waive this condition for those professional Faculties which have only one Professor.

(3) The Dean of each Faculty shall be the Chief Executive Officer of the Faculty, and shall preside at its meetings.

(4) The Dean shall issue the lecturer lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching therein.

(5) The Dean shall have the right to be present and to speak at any meeting of any committee of the Faculty but not to vote thereat unless he is a member of the Committee.

15. *Withdrawal of degrees and diplomas*.—The Senate may, on the recommendation of the Syndicate, by a resolution passed with the concurrence of not less than two-thirds of the members present and voting and subject to the confirmation of the Chancellor withdraw any degree or diploma, certificate and other academic distinction, conferred by the University.

16. *Honorary degrees*.—(1) All proposals for the conferment of honorary degrees shall be made by the Academic Council to the Syndicate and shall require the assent of the Senate before submission to the Chancellor for confirmation:

Provided that, in the cases of urgency, the Chancellor may act on the recommendation of the Syndicate only.

(2) Any honorary degree conferred by the University may, with the previous approval of the two-thirds of the members of the Senate and the sanction of the Chacellor, be withdrawn by the Syndicate.

17. *University teachers.*—(1) Members of the teaching staff in the University shall consist of the following categories:—

- (a) servants of the University paid by the University and appointed by the Syndicate as Professors, Readers or lecturers or otherwise as teachers of the University; or
- (b) persons appointed by the Syndicate as Honorary Professors, Readers or Lecturers or otherwise as teachers of the University.

(2) Recognised teachers shall be members of the teaching staff of Colleges or Institutions.

18. *Recognition of Teachers.*—(1) The qualifications of recognised teachers of the University shall be such as may be determined by the Ordinances.

(2) All applications for the recognition of teachers of the University shall be made in such a manner as may be laid down by the Regulation made by the Syndicate in that behalf.

(3) The period of recognition of a teacher of the University as Professor or Reader shall be determined by Ordinances made in that behalf. A person in the service of a College, recognised as a teacher of the University otherwise than as a Professor or Reader shall continue to be recognised as if he is in the service of the College/Institution.

(4) The Syndicate may, on a reference from the Vice-Chancellor, withdraw recognition from a teacher.

Provided that the teacher of the College/Institution concerned, may within a period of thirty days from the date of the order of withdrawal, appeal against the order to the Chancellor whose decision shall be final.

(5) No person shall be appointed or recognised as a teacher of the University except on the recommendation of a Selection Committee constituted for the purposes.

19. *Selection Committee.*—(1) The Selection Committee for any appointment specified in column (1) of the Table below shall consist of the Vice-Chancellor, an educationist nominated by the Chancellor and the persons specified in the corresponding entry in column (2) of the said Table.

The Table.

Professor or Reader.—	(i) The Deen of Faculty.
	(ii) The Head of the Department concerned, if he is a professor.

(iii) Two experts in the subject not concerned with the University, nominated by the Vice-Chancellor.

(i) The Dean of the Faculty.

Lecturer. (ii) The Head of the Department concerned.

(iii) Two experts in the subject not connected with the University, nominated by the Vice-Chancellor.

(2) The Selection Committee for the recognition of teachers of colleges shall consist of the following members:—

(a) For the purpose of recognising a college teacher as a Professor, Reader or Lecturer—

(i) the Vice-Chancellor;

(ii) an educationist nominated by the Chancellor;

(iii) a nominee of the Syndicate;

(iv) the Dean of the Faculty;

(v) the Head of the Department concerned, if he is a Professor;

(vi) two experts not connected with the University, nominated by the Vice-Chancellor.

(3) The meeting of the Selection Committee shall be convened by the Vice-Chancellor.

(4) The Selection Committee shall consider and present to the Syndicate recommendations as to the appointment referred to it. If the Syndicate is unable to accept the recommendations made by the Committee, it shall record its reasons and submit the case to the Chancellor for final orders.

20. The Syndicate may establish Research Fellowships and scholarships of such value as it may, from time to time determine tenable for a term up to three years, for the encouragement of research or original work in such subjects and under such conditions as the Academic Council may by Regulations, prescribed.

21. *Co-ordination Committee.*—(1) There shall be a Co-ordination Committee to consider matters of common interest between the Universities in the State. This Committee shall consist of the following:—

(i) the Vice-Chancellors of all the Universities in the State of Rajasthan;

(ii) the Secretary to the Government in the Finance Department;

(iii) the Secretary to the Government in the Education Department.

(2) The Secretary to the Government in the Education Department shall be the Member-Secretary of this Committee. This Committee shall meet periodically under the Chairmanship of the

Minister of Education, Rajasthan. It shall review all or any aspects of University education that may be sponsored by the Members, or the Government, or the Chancellor and shall consider subjects of common interest such as, (i) courses of study and syllabi, (ii) standards of examination, (iii) methods of recruitment of teaching staff, (iv) mode and system of evaluating this work of teachers, (v) the working of various Universities bodies, (vi) question relating to the health, discipline, physical development, social and intellectual life and general well being of students, (vii) welfare of teachers and their continued intellectual improvement, and (viii) consideration of specialised studies and research done by various Universities with an aim to avoid unnecessary duplication.

(3) This Committee shall be purely advisory.

(4) It should meet atleast once every three months.

22. (1) Colleges or Institutions, within the territorial limits of the Jodhpur University, may be admitted to such privileges of the University as the Syndicate may decide on the following conditions, namely:—

- (i) Every affiliated college shall be a public educational institution;
- (ii) the whole of the funds of an affiliated college shall be applied to its own educational purposes;
- (iii) Every such College or Institution shall have regularly constituted Governing Body/Council, approved by the Syndicate, and the University and at least three representatives of the teaching staff of whom the Principal of the College or the Head of the institution shall be one and the remaining two shall be selected from amongst its teachers:

Provided that the said condition shall not apply in the case of colleges and institution maintained by Government which shall, however, have one representative of the University on each governing body or associated in an advisory capacity where there is no governing body.

- (iv) Any change in the constitution of the governing body shall be reported forthwith to the Syndicate.
- (v) The Principal of a College shall be responsible for the internal administration of the college.
- (vi) Every college or institution shall satisfy the Syndicate on the following points, namely:—
 - (a) the suitability and adequacy of its accommodation and equipment for teaching;
 - (b) the qualifications and adequacy of its teaching staff and the conditions of their service;

- (c) the arrangements for the residence, welfare, discipline and supervision of its students;
 - (d) that adequate financial provision has been made for the continued maintenance of the college; and
 - (e) such other matters as are essential for the maintenance of the standards of University education.
- (vii) Every college shall provide instruction in such subjects and in preparation for such examinations as may be authorised in respect of that college, from time to time, by the Syndicate.
 - (viii) Every college shall satisfy the University that it is in all respects suitably organised and conducted.
 - (ix) Every college shall maintain a proportion of teachers to students which is not smaller than the minimum to be prescribed by Ordinance and which is sufficient for through tutorial supervision.
 - (x) Every college not maintained by a Government shall maintain a provident fund for the benefit of members of its teaching staff, with rules approved by the University.
 - (xi) A teacher dismissed for misconduct by an affiliated college shall not be employed by any other affiliated college without the previous consent in writing of the Vice-Chancellor.
 - (xii) No College or institution shall be admitted to any privileges of the University except on the recommendation of the Syndicate made after considering the report of a committee of inspection appointed for the purpose by the Syndicate.
 - (xiii) Colleges and institutions desirous of admission to any privileges of the University shall be required to intimate their intention to do so in writing so as to reach the Registrar not later than the 15th. August preceding the year from which permission applied for is to have effect.
 - (xiv) A college or institution may not, without the previous permission of the Syndicate and the Academic Council suspend instruction in any subject or course of study which it is authorised to teach and teaches.

(2) Appointments to the teaching staff of such colleges or institutions shall be made on the recommendations of a Selection Committee, which shall include the Principal (unless the post to be filled is that of the Principal) at least one of the representatives of the University on the Governing body and one expert nominated by the Academic Council:

Provided that the provisions of this clause shall not apply in the case of colleges and institutions maintained by Government.

(3) Every such college or institution shall be inspected at least once every year by a Committee appointed by the Syndicate. The Syndicate after considering the report shall forward a copy of the report to the Governing Body of the College or Institution with such remarks, if any, as it may deem fit, for suitable action.

(4) The Syndicate may after consulting the Academic Council, withdraw any privileges granted to a college or institution of at any time it considers that the college or institution is not fulfilling the requisite conditions:

Provided that before any privileges are so withdrawn the Governing Body/Government shall be given an opportunity to represent to the Syndicate why such action should not be taken.

(5) Subject to the conditions set forth above, the Ordinances may prescribe any other conditions which may be considered necessary and also the procedure for the admission of colleges and institutions to the privileges of the University and for the withdrawal of those privileges.

23. Notwithstanding anything contained in these Statutes, a person who holds any post in the University or is a member of any Authority or Body of the University in his capacity as a member of a particular Authority or Body or as the holder of a particular appointment shall hold office so long only as he continues to be a member of that particular Authority or body or the holder of that particular appointment as the case may be.

24. Notwithstanding anything contained in these Statutes, no person who is ordinarily not resident in India shall be eligible to be an officer of the University or a member of any Authority of the University.

25. (1) Any member, other than an *ex-officio* member, of the Senate, the Syndicate, the Academic Council or any other University Authority or Committee may resign by means of a letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

(2) Any officer of the University, (whether salaried or otherwise) may resign his office by letter addressed to the Registrar:

Provided that such resignation shall take effect only on the date from which the same is accepted by the Authority competent to fill the vacancy.

26. (1) Any member of the Senate, the Syndicate or the Academic Council may be removed by a resolution of the Senate, the Syndicate or the Academic Council as the case may be, passed by a majority of not less than two thirds of its members on either of the following grounds, namely:—

(i) the member has become incapable of performing his duties; and

(ii) the member has been convicted by a court of law, of an offence which, in the opinion of the Senate, the Syndicate or the Academic Council, as the case may be, involved moral turpitude.

(2) Notwithstanding anything contained in the terms of his appointment any officer of the University, salaried or otherwise, may be removed from that office by the Authority which is competent to fill the vacancy on either of the following grounds, namely:-

(i) the officer has become incapable of performing his duties; and

(ii) the officer has been convicted by a court of law of an offence which, in the opinion of the Senate, the Syndicate or the Academic Council, as the case may be, involves moral turpitude:

Provided that nothing in this clause shall be deemed to effect any rights accruing to an officer appointed on contract in accordance with the terms of the contract.

27. Where, by the Statutes or the Ordinances, no provision is made for a President or Chairman to preside over a meeting of any University Authority, Board of Committee or when the President or Chairman so provided is absent, the members present will elect one of their member to preside at the meeting

28. The University shall establish a Research Board, a publication Board, Students' Welfare Board, a Library Board and Board of Sports.

29. *University Fund*.—(1) The University Fund shall be kept in the personal Deposit Account in Government Treasury, Jodhpur or the Fund may be invested in such Securities and to such extent as may be approved by the Syndicate.

(2) The Vice-Chancellor shall nominate an officer who shall have the authority to operate the account of the University Fund and who shall incur all necessary expenditure from it subject to the provisions of the Act and the Statutes.

30. There shall be a detailed running audit of the accounts of the University by the auditors appointed by the Government in accordance with the provisions of the Act.

31. (1) The Syndicate shall take all steps to have the annual report of the University prepared under its directions as provided for in the Act and the Statutes for submission to the Senate atleast four weeks before the date fixed for the annual meeting of the Senate.

(2) The Syndicate shall take all steps to submit the annual accounts and Balance Sheet of the University, audited in the manner prescribed by the Act and the Statutes, to the Senate and the State Government atleast four weeks before the date fixed for the annual meeting of the Senate.

32. The Syndicate shall prepare the financial estimates for the ensuing year atleast eight weeks before the date fixed for the annual meeting of the Senate and shall as soon as possible send a copy of the financial estimates thus prepared to the address of each member of the Senate, the Chancellor and the State Government.

PROVIDENT FUND

33. (1) There shall be a Provident Fund for the benefit of the permanent officers, teachers, clerical staff and servants employed by the University.

(2) The management of the Provident Fund shall vest in the Syndicate, which may, from time to time, make regulations or issue such general or special directions as may be consistent with the Statutes as to (a) the conduct of business of the Fund and (b) any matter relating to the Fund, or its management or the privileges of the depositors not herein expressly provided for, or vary or cancel any Regulations made or directions given.

(3) (i) Every servant of the University holding a permanent substantive appointment, or appointed for a fixed period of not less than three years, and receiving a salary of fifty rupees per mensem or more shall be entitled and required to subscribe to the Provident Fund. Part time or officiating employees shall not be so entitled.

(ii) Persons appointed on probation to substantive appointments will be entitled to subscribe to the Provident Fund but if their services terminate before their contribution they shall not be entitled to receive any portion of the University contribution or the interest accruing thereon.

(iii) No employee of the University shall be entitled to the benefits of the Provident Fund whose services in the University entitled him to a pension or on whose account the University contributes to his pension or who has been appointed by the University on a consolidated salary or on special terms.

(4) Every employee of the University entitled to the benefits of the Provident Fund shall be required to sign a written declaration in the prescribed form that he has read this Statute and agrees to abide by it, and shall hand in for registration in the University office the names of the person, or persons to whom he wishes the balance at his credit to be paid in the event of his death.

The subscriber may, from time to time, add or change his nominee by written application to the Syndicate.

A register of such nominees shall be kept in the University office.

(5) The rate of subscription shall be 8 per cent of the monthly salary and the amount calculated on this basis shall be deducted from the monthly salary of each employee.

Note.—No subscription or contribution shall be made to the Provident Fund by or for the benefit of an employee who is on leave without salary.

(6) The University shall in the case of each subscriber make a monthly contribution at the rate of 10 per cent of his salary; in the case of employees who draw a salary of more than Rs. 500/- per month the University contribution shall be at the rate of 8 per cent.

(7) (i) The amount of the subscription deducted from the monthly salary of each employee together with the contribution by the University shall be deposited in the Post Office Savings Bank, to the credit of an account opened in the name of each subscriber, within two days of the receipt of the money so far as possible.

The investment of the amount to the credit of subscriber shall also be permissible in Government Securities or Postal Cash Certificates or National Savings Certificates through the Post office of the condition that:—

1. in the case of Government Securities, no security of the face value of less than Rs. 100/- shall be purchased at one time,
2. the Securities shall be kept in the custody of the Accountant General, Posts and Telegraphs, and the receipts thereof in the custody of the Registrar; and
3. the Postal Cash Certificates and the National Savings Certificates shall be kept in the custody of the Registrar.

(ii) Subscribers to the Provident Fund on whose behalf accounts are opened at the post office under the provisions of these Statutes will not be deprived of their right to open ordinary private accounts in the Post Office Savings Bank or to purchase Post Office Cash Certificates or National Savings Certificates or Government Securities, through the Post Office.

(iii) The subscription paid by the subscriber and the contribution paid by the University shall be entered monthly in a separate account for each subscriber.

(iv) A statement of the total amount at the credit of each subscriber shall be furnished to him once in the beginning of each year.

(v) The Syndicate may, under such conditions as may be laid down in the Ordinances, permit the payment of premium on life insurance policy or policies on the life of a subscriber who is in receipt of a salary not exceeding Rs. 500/- p.m. out of his personal subscription to the Provident Fund account under statutes 33 (5) above.

(8) A subscriber at the termination of his service shall be entitled to receive the amount which accumulates to his credit.

(9) On a subscriber's death, the amount at his credit shall be paid to the person or persons duly nominated by him, or, when no such nomination is made, to his legal heir or heirs.

(10) The amount at the credit of subscriber shall not be subject to any deduction even to cover loss or damage sustained by the University through the subscriber's misconduct or negligence.

(11) (i) No final withdrawal shall be allowed until the termination of the subscriber's service or his death. But in case of necessity, of which the Syndicate shall be the sole judge, the Syndicate may allow a subscriber to make a temporary withdrawal of a sum not exceeding the total amount subscribed by him.

(ii) Recoveries towards the amount advanced shall be made in monthly instalments not exceeding thirty as may be decided by the Syndicate, commencing at the first payment of a full month's salary after the advance is granted, but no recovery shall be made from a subscriber when he is on leave otherwise than on full salary.

(iii) When a subscriber has already taken an advance, he shall not be eligible for a fresh advance until the amount already advanced has been fully paid up.

Note:—In this Statute "Subscription" means the amount paid by the subscriber and "contribution" the amount contributed by the University.

34A. For purposes of payments of premiums towards an insurance policy of a subscriber, withdrawals, at his option, from Provident Fund Account in the post office shall be allowed to the extent of 75 per cent only out of the subscription of a member of the staff:

Provided that no amount shall be allowed to be withdrawn before the details of the proposed policy have been submitted and they are accepted as suitable:

Provided further that no amount may be withdrawn to meet any payments in respect of a policy which is due for payment in whole or part before the subscriber's age of normal superannuation.

34B. A subscriber shall be liable to refund any amount withdrawn towards the payment of insurance premium if the Syndicate later on has any reasons therefor, with interest thereon at the rate allowed by the Post Office Savings Bank and the amount so recovered from the emoluments of the subscriber shall be placed to the credit of the subscriber in the fund

34C. The University will not make any payments on behalf of the subscribers to insurance companies, or take steps to keep a policy alive.

(b) It is immaterial what form the policy takes; provided that it shall be one effected by the subscriber himself on his own life

and shall (unless it is policy expressed on the face of it to be for the benefit of his wife, or of his wife and children, or any of them) be such as may be legally assigned by the subscriber himself to the University.

Explanation:—1. A policy on the joint lives of the subscriber and his wife shall be a policy on the life of the subscriber himself for the purpose of this sub-rule.

Explanation:—2. A policy which has been assigned to the subscriber's wife shall not be accepted, unless either the policy is first re-assigned to the subscriber or both the subscriber and his wife join in an appropriate assignment.

(c) The policy may not be effected for the benefit of any beneficiary other than the wife of the subscriber or the wife and children of any of them.

34D. (1) The policy, within three months after the first withdrawal from the fund in respect of the policy or in the case of an insurance company whose headquarter is outside India, within such further period as the Registrar, if he is satisfied by the production of the completion Certificate (Interim Receipt), may fix, shall—

- (a) unless it is a policy expressed on the face of it to be for the benefit of the wife of the subscriber, or of his wife and children, or any of them, be assigned by an endorsement on the policy in form 1 set forth in the Schedule to the University as security for the payment of any sum which may become payable to the fund by the subscriber under Statutes 34F—34H and delivered to the Registrar.
- (b) If it is a policy expressed on the face of it to be for the benefit of the wife of the subscriber or of his wife and children, or any of them, be delivered to the Registrar.

(2) The Registrar shall satisfy himself by reference to the Insurance Company, where possible, that no prior assignment of the policy exists.

(3) Once a policy has been accepted for the purpose of being financed from the fund, the terms of the policy shall not be altered.

(4) If the policy is not assigned and delivered, within the said period of three months or such further period as the Registrar may under clause (1) have fixed any amount withdrawn from the fund in respect of the policy shall with interest thereon at the rate allowed by the Post Office Savings Bank, forthwith be paid by the subscriber to the fund, or in default be ordered by the Registrar to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as the Syndicate may direct.

(5) Notice of Assignment of the policy shall be given by the subscriber to the Insurance Company, and the acknowledgement of

the notice by the Insurance Company shall be sent to the Registrar within three months of the date of assignment.

34E. The subscriber shall not, during the currency of the policy, draw any bonus, the drawal of which during such currency is optional under the terms of the policy and the amount of any bonus, which under the terms of the policy the subscriber has no option to refrain from drawing during its currency, shall be paid forthwith into the fund by the subscriber or in default recovered by reduction from his emoluments by instalments or otherwise as the Syndicate may direct.

34F. (1) Save as provided by clause (2) of the Statute 34H, when the subscriber—

(a) quits the service,

or

(b) proceeds on leave preparatory to retirement and applies to the Registrar for reassignment or return of the policy,

or

(c) while on leave, has been permitted to retire or declared by a medical authority to be unfit for further service and applies to the Registrar for assignment or return of the policy,

or

(d) pays to the fund the whole of any amount from the fund for the purpose of payment of premium, the Registrar shall—

(i) if the policy has been assigned to the University under Statute 34F, reassign the policy in Form II set forth in the Schedule to the subscriber and make it over to the subscriber;

(ii) if the policy has been delivered to him under clause (1) (b) of Statutes 34D, make over the policy to the subscriber:

Provided that if the subscriber, after proceeding on leave preparatory to retirement or after being while on leave, permitted to retire or declared by a medical authority to be unfit for further service returns to duty, any policy so re-assigned or made over shall, if it has not matured or been assigned or charged or encumbered in any way, be again assigned to the University and delivered to the Registrar or again delivered to the Registrar, as the case may be in the manner provided in Statutes 34D and thereupon the provisions of these Statutes shall, so far as may be again apply in respect of the policy;

Provided further that, if the policy has matured or been assigned or charged or encumbered in any way, the provisions of clause

3 of Statute 34D applicable to a failure to assign and deliver a policy shall apply.

(2) Save as provided by clause (2) of Statute 34H, when the subscriber dies before quitting the service, the Registrar shall—

- (i) if the policy has been assigned to the University under statute 34D, assign the policy in Form III set forth in the Schedule to such person as may be legally entitled to receive it, and shall make over the policy to such person, together with a signed notice of re-assignment addressed to the Insurance Company.
- (ii) if the policy has been delivered to him under sub-clause (b) of clause 1 of Statute 34D, make over the policy to the beneficiary, if any, or, if there is no beneficiary, to such person as may be legally entitled to receive it.

34G. Save as provided by clause (2) of Statute 34H, if a policy assigned to the University under Statute 34D matures before the subscriber quits the service and before his death, the Registrar shall realise the amount assured and shall deduct therefrom the whole or any amount assured and shall deduct therefrom the whole of any amount withdrawn from the fund in respect of the policy with interest thereon at the rate allowed by the Post Office Savings Bank, and shall place the amount so deducted to the credit of the subscriber in the fund. The balance, if any, shall, at the option of the subscriber, be paid to the subscriber or placed to the credit of the subscriber in the fund.

(2) Save as provided by clause (2) of Statute 34H, if a policy delivered to the Registrar under clause (1) (b) of Statute 34D matures before the subscriber quits the service and before his death, the Registrar shall make over the policy to the subscriber, who shall pay to the fund the whole or any amount withdrawn from the fund in respect of the policy with interest thereon at the rate allowed by the Post Office Savings Bank and in default, the provisions of clause (3) of Statute D applicable to a failure to assign and deliver a policy shall apply.

34H. If the policy lapses or becomes assigned, otherwise than to the University under Statute 34D; charged or encumbered, the provisions of clause (3) of Statute 34D applicable to a failure to assign and deliver a policy shall apply.

(2) If the Registrar receives notice—

- (a) an assignment (other than as assignment to the University under Statute 34D), or
- (b) a charge or encumbrance on, or

JODHPUR UNIVERSITY (REMOVAL OF DIFFICULTIES) ORDER, 1963

Order No. F 6 (98) Edu./cell-III/62.—Whereas certain difficulties have arisen in giving effect to the provisions of the *Jodhpur University Act, 1962* (Rajasthan Act 17 of 1962);

Now, therefore, in exercise of the powers conferred by section 39 of the said Act, the State Government makes the following Order.

1. *Short title, commencement and duration*—(1) This Order may be called the Jodhpur University (Removal of Difficulties) Order 1963.

(2) It shall be deemed to have come into force on the 16th day of July, 1962, and shall remain in force for a period of two years.

2. *Definitions*.—In this Order, unless the context otherwise requires—

(1) 'Act' means the Jodhpur University Act, 1962 (Act 17 of 1962);

(2) 'Section' means section of the Act;

(3) 'Special Officer' means Special Officer appointed under section 37; and

(4) 'Vice-Chancellor' means Vice-Chancellor of the University appointed under section 11.

3. *Temporary powers of Vice-Chancellor*.—Notwithstanding anything contained in section 4, 8, 13, 22, 24, 27, 28 and 35 (1) or any other provisions of the Act, the Vice-Chancellor may, by an order in writing while this order is in force and until the Statutes or Ordinances, as the case may be, are duly made and brought into force,—

(a) exercise the powers of the University—

(i) to institute, subject to the approval of the State Government, professorships, readerships, lectureships and other teaching posts required by the University;

(ii) to appoint or recognise persons as professors, readers or lecturers or otherwise as teachers of the University; and

(iii) to appoint officers of the University;

Provided that no person shall be permanently appointed or recognised under parts (ii) and (iii) above until his appointment has been confirmed by the Syndicate :

Provided further that the Vice-Chancellor may authorise the Special Officer, for the purposes of sub section (1) of section 35, to execute contracts on behalf of the University and such contracts shall be lodged with the Special Officer;

(iv) to acquire, hold and manage property, movable, and immovable including trusts and endowments for the purpose of the university;

(b) specify the authorities responsible for organising the teaching recognised by the University ;

(c) provide for all or any matters specified in clauses (c), (g) and (h) of section 21 and associate with or admit any college or institution within the municipal limits of the city of Jodhpur to the privilege of the University under section 5 ;

(d) provide for all or any matters specified in section 23;

(e) maintain or approve and recognise hostels and halls;

(f) exercise the powers of the University to establish the University Fund and prescribe the moneys to be credited to the said Fund and the matters to which the said fund shall be applied and appropriated, prepare a statement of financial estimates of the University for the current year, direct the investment and placing of the fund in proper custody and authorise the Special Officer or any other officer or person to operate upon the said fund with such powers of credit and withdrawal therefrom as may be specified.

4. *Validity of Orders made.*—All orders or directions made by the Vice-Chancellor under this Order shall be deemed to have been validly made, and all actions taken in pursuance of such directions or orders shall be deemed to have been lawfully taken, notwithstanding anything inconsistent therewith in the Statutes and Ordinances finally made under the Act.

Notifications under

JODHPUR UNIVERSITY ACT, 1962

Published in Raj. Raj-patra part IV (a) dated June 12, 1962 at page :

Education (Cell-1) Department

NOTIFICATION

Jaipur, June 12, 1962

No. F. 2 (31) Edu./60 C-I.—In exercise of the power conferred by sub-section (2) of section 1 of the Jodhpur University Act, 1962 (Rajasthan Act 17 of 1962), the State Government hereby appoints the twelfth day of June, 1962 to be the date on which the said Act shall come into force.

By Order of the Governor.
VISHNU DUTT SHARMA.
Secretary to the Government.

Rules and Notifications under

KASAR BHOM ABOLITION ACT, 1961 (RAJASTHAN
ACT 35 OF 1961).

Rajasthan Kasar Bhom Abolition Rules, 1961

Revenue 'B' Department

NOTIFICATION

Jaipur, December 1, 1961.

No. F. 5 (77) Rev./B/58.—In exercise of the powers conferred by section 5 of the Rajasthan Kasar Bhom Abolition Act, 1961 (Rajasthan Act 35 of 1961), the State Government hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Kasar Bhom Abolition Rules, 1961.

(2) They shall come into force at once;

2. *Interpretation.*—In these rules, unless the subject or context otherwise requires—

(i) "Act" means the Rajasthan Kasar Bhom Abolition Act, 1961 (Rajasthan Act 35 of 1961);

(ii) "Form" means a form appended to these rules;

(iii) 'section' means a section of the Act;

(iv) Words and expressions used in these rules and not defined in the Act or in these rules shall have the meanings assigned to them by the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955).

3. *Compilation of list of Kasar Khwars.*—Immediately on the publication of these rules, and in any case within one month thereof, the Tehsildars of the Tehsils containing the villages in which 'Kasar Khwars', as defined in clause (i) of section 2 of the Act reside, shall cause to be prepared an accurate and up-to-date list in Form 'A', of all persons, who were entitled to receive Kasar Bhom for the year ending on the 31st day of December, 1960. Such list shall be compiled on the basis of the old lists of 'kasar khwar bhomias' of the Tehsil and old 'kharas' and other Tehsil records, and, where 'settlement parchas' for the payment of kasar bhom were distributed by the Settlement Department and the record thereof is available in the Tehsil, on the basis of such record.

4. *Proclamation inviting applications for compensation.*—(1) Immediately after the compilation of the list referred to in the preceding rule, and in any case within one month of the commencement of these rules, each such Tehsildar shall issue a proclamation inviting applications from 'Kasar Khwars' for the payment of the compensation to which they are entitled under section 3 of the Act.

(2) The proclamation shall be in Form 'B' and shall be published by pasting copies thereof on the notice board of the Tehsil and

on the notice board of the Village Panchayat and at some place of public resort in the villages concerned.

5. *Form of applications for compensation.*—An application by a 'Kasar Khwar' for the payment of compensation shall be in Form 'C' and shall be submitted in duplicate to the Tehsildar of the Tehsil in which the 'kasar khwar' resides, within one month of the publication of the proclamation referred to in rule 4:

Provided that the Tehsildar may entertain an application after the period prescribed in this rule if he is satisfied that the 'Kasar Khwar' was prevented by sufficient cause from submitting the application within the prescribed time:

Provided further that if a 'kasar khwar' is unable to file his application in the prescribed form, the Tehsildar shall, on his request, get the kasar khwar's claim prepared for him.

6. *Determination of compensation.*—(1) On receipt of an application under rule 5, the Tehsildar shall verify the particulars given therein by reference to the list of 'kasar khwar bhomias' prepared under rule 3 and see whether the applicant's name appears in the list and the amount of Kasar Bhom payable according to the list tallies with that mentioned in the application; and the Tehsildar shall also look up the old Tehsil kharras and verify the payment of kasar bhom to the applicant in the past and also see the 'settlement parcha', if any, possessed by the applicant.

(2) After satisfying himself by verification as indicated above, and by such further inquiry if any as he may deem necessary, the tehsildar shall pass an order, in Part II of Form 'C', determining the amount of compensation.

FORM 'A'.

(See Rule 3)

List of Kasar Khwar Bhomias.

1. Name of Tehsil with name of District.
2. Date of compilation of list.

S. No.	Name of Village.	Name of Kasar Khwar Bhomia with parentage, age, if known, and address.	Amount of Kasar Bhom payable to him for the ending on 31-12-1960.	Date on which Kasar Bhom was last paid to him with particulars of the year for which paid; amount paid with particulars of Ledger/Cash-book in which entered.
--------	------------------	--	---	---

Remarks.	(In this column enter reference to settlement parcha for Kasar Bhom if any, and other evidence on the basis of which the entry has been made).
6	7

FORM 'B'.

(See Rule 4)

Proclamation under rule 4 of the Rajasthan Kasar Bhom Abolition Rules, 1961.

WHEREAS the Rajasthan Kasar Bhom Abolition Act, 1961 (Rajasthan Act 35 of 1961) which provides for the abolition of Kasar Bhom in the State of Rajasthan came into force from the 14th day November, 1961;

AND WHEREAS, by virtue of section 3 of the said Act, all Kasar Bhom rights stand abolished as from the first day of January, 1961 and all payments on account of such rights have been discontinued as from such date, and the Kasar Khwars have been released from the liability to render any service in lieu of the Kasar Bhom;

AND WHEREAS, under section 3 of the said Act, compensation is payable to every Kasar Khwar whose Kasar Bhom rights stand abolished, at an amount equal to five times the total amount of Kasar Bhom payable to him for the year ending on the 31st day of December, 1960 in three yearly instalments, the first of such instalments being payable on the 1st January, 1962; and the compensation payable under the said Act shall carry interest at the rate of 2½ percent per annum from the date of abolition till the date of payment;

NOW THEREFORE, in pursuance of sub section (2) of section 3 of the said Act and of rule 4 of the Rajasthan Kasar Bhom Abolition Rules, 1961, this Proclamation is hereby made directing every Kasar Khwar, who considers himself entitled to compensation under the said Act to submit his application for compensation in Form 'C' within one month of the publication of this proclamation.

Seal of Tehsil

Signature of Tehsildar of

Date

Tehsil

FORM 'C'.

(See Rule 5)

PART I.

Application under Rule 5 of the Rajasthan Kasar Bhom Abolition Rules, 1961 for the payment of compensation for the abolition of Kasar Bhom rights.

To

The Tehsildar,

Tehsil

District.

1. Name of village, with name of Tehsil and name of district.
2. Name of Kasar Khwar Bhomia (applicant) Parentage Age; full address.
3. Amount of Kasar Bhom that was payable to him on the 31st December, 1960. Rs....n.P....
4. *Last date on which applicant received payment of Kasar Bhom from the Tehsil and amount received.*
5. Evidence in support of the applicant being a kasar khwar;
 - (i) No. and date of settlement parcha for Kasar Bhom if any possessed by him (to be produced for the inspection of the Tehsildar at the time of verification).
 - (ii) Entry in the Tehsil kharra Ledger or Cash-book or some other record of payment of Kasar Bhom to the applicant in the past.
 - (iii) Other documentary evidence if any (particulars to be given).
 - (iv) Name of Lambardar/Patwari or some other responsible person, who would verify applicant's claim of being a kasar khwar and the amount of Kasar Bhom payable to him.
6. Total amount of compensation claimed by applicant (amount of Kasar Bhom payable for the year ending on the 31st December, 1960 multiplied by five).

Signature....

Date.....

VERIFICATION.

I solemnly verify that the particulars given above are correct to the best of my knowledge and belief and that I have stated the truth and have not suppressed or concealed anything.

Date... .. Signature... ..

Witness....

FORM 'C'

PART II

Determination of compensation by Tehsildar.

I Tehsildar of
having satisfied myself by verification of the particulars given in Part I of this Form in the manner indicated in sub-rule (1) of rule 6 viz. by a reference to the list of kasar khwar bhomias/settlement parchas of Kasar Bhom/local enquiry or otherwise that the particulars are correct and the applicant was a kasar khwar, I hereby declare Shri... ..S/o ... of village Tebsil to be entitled to the following amount of compensation under section 3 of Rajasthan Act 35 of 1961.

Amount of Kasar Bhom payable to him for the year ending on 31st December, 1960, RsnP....multiplied by five equal to RsnP....

I hereby direct that the total compensation of Rs
 nP .. shall be paid in cash to the said Shri... ..
 as shown hereafter.

On the 1st of January, 1962:—

First instalment of compensation.	Interest @ 2½% from 1-1-61 to	Total of Cols. 1 & 2.	Acknowledgement by applicant.
1	2	3	4

On the 1st of January, 1963;—

Second instalment of compensation.	Interest @ $2\frac{1}{2}\%$ from 1-1-61 ...	Total of Cols. 1 & 2.	Acknowledgement by applicant.
1	2	3	4

On the 1st of January, 1964:—

Third instalment of compensation.	Interest @ $2\frac{1}{2}\%$ from 1-1-61	Total of 1 & 2.	Cols. Acknowledgement by applicant.
1	2	3	4

I also direct that duplicate copy of this order be given to the said Shri... ..to keep with him and to produce it at the time of receiving the instalments of compensation and interest if any.

Seal of Tehsil.

Signature of Tehsildar....

Date....

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government.

Rules and Notifications under

KAZIS ACT, 1880 (CENTRAL ACT No. 12 OF 1880).

Notifications under

KAZI'S ACT, 1880

Published in Raj. Raj-patra Dated July 9, 1955 part V (b) :

ENGLISH TRANSLATION

(authorised by His Highness the Rajpramukh.)

NOTIFICATION.

Jaipur, June 28, 1955.

No. F. 18 (19)-L/55.—In exercise of the powers conferred by section 1 of the Kazis' Act 1880 (XII of 1880), the Government of Rajasthan is pleased to extend the said Act to the whole of the State of Rajasthan.

By Order of
His Highness the Rajpramukh,
PRABHU DAYAL LOIWAL,
Secretary to Government.

Rules and Notifications under

KHADI AND VILLAGE INDUSTRIES BOARDS
ACT, 1955 RAJASTHAN (5 OF 1955)

RAJASTHAN KHADI & VILLAGE INDUSTRIES BOARD (Election of Vice Chairman) RULES, 1958.

INDUSTRIES DEPARTMENT NOTIFICATION

Jaipur, April 8, 1958.

No. D. 4599/F. 6 (26) I/56.—In exercise of the powers conferred by section 37 read with sub-section (1) of section 5 of the Rajasthan Khadi and Village Industries Board Act, 1955 (Rajasthan Act 5 of 1955), the Government of Rajasthan hereby makes the following rules, namely:—

RULES

1. *Short title.*—These rules may be called the Rajasthan Khadi and Village Industries Board (Election of Vice Chairman) Rules, 1958.

Notes.

These rules have been framed in exercise of the powers conferred by section 37 read with sub-section (1) of section 5 of the Rajasthan Khadi and Village Industries Act, 1955. Section 37 of the Act authorises the State Government to make rules generally for carrying out the purposes of the Act and particularly for providing for any matter which is to be or may be prescribed. These rules prescribe the procedure for the election of the vice-chairman as required under sub-section (1) of section 5 of the Act. Section 5 of the Act reads as under:—

(1) The Vice-Chairman of the Board shall be elected by the non-official members of the Board from amongst themselves in the prescribed manner.

(2) Subject to the provisions of sub-section (3) the Vice-Chairman shall hold office so long as he is a member of the Board.

(3) The Vice-Chairman may resign his office by a letter addressed to the Chairman of the Board, or may be removed by a resolution passed by a majority of the non-official members of the Board, of which not less than fourteen clear days' notice shall be given to all non-official members.

2. *Special Meeting.*—A special meeting of the non-official members of the Board shall be convened by the Secretary of the Board for the purpose of electing the Vice Chairman of Board.

The date and time and place of such meeting shall be fixed in consultation with the Chairman and shall be notified to all non-official members in writing at least 15 days before such meeting.

3. *Nomination of a candidate.*—Any non-official member wishing to stand as a candidate for the office of the Vice-Chairman shall send to the Secretary his nomination in writing, for the purpose, proposed and seconded by 2 non-official members other than himself, accompanied by a declaration, in writing, signed by himself to the effect that he agrees to offer himself as a candidate.

These rules have been first published in Rajasthan Raj-patra Dated June 12, 1958 in part IV (c) at page 417.

4. *Adjournment of the meetings.*—The special meeting shall be held on the date and at the time and place notified earlier or on any other date, time and place, to which it may be adjourned.

5. *Presiding Officer.*—The Chairman of the Board and in his absence an official member, nominated by the Chairman shall preside over the meeting and conduct the election and shall hereinafter be called the Presiding officer.

6. *Scrutiny*—Before the poll begins, a scrutiny of the nomination papers shall be made by the Presiding Officer and if there is only one duly nominated candidate there shall be no voting and such a candidate shall be declared so have been elected.

7. *Voting.*—If there are more than one duly nominated candidates, the votes of the non-official members present shall be taken. The Presiding Officer shall cause ballot papers to be distributed to the non-official members who shall be asked to record their votes thereon by writing down the name of the candidate for whom they desired to vote.

8. *Withdrawal.*—Any candidate may withdraw his candidature by a written request to the Presiding Officer before the poll begins.

9. *Form of the ballot paper.*—The ballot paper shall consist of a blank slip of paper initialed by the Presiding Officer in the following form:—

Ballot Paper for election of Vice-Chairman

Date	Name of the candidate for whom the vote is cast
Time	Signature of the non-official member voting.
Place.....	

10. *The number and scrutiny of votes.*—A voter shall vote only for one candidate. When the time for casting of votes expires, the Presiding Officer shall cause ballot papers to be collected from the members and scrutinise them.

11. *Rejection of a ballot Paper.*—A ballot paper shall be rejected, upon scrutiny, if—

- (i) it records votes for more than one candidate, or
- (ii) it appears not to be genuine, or
- (iii) the name of the candidate for whom vote has been recorded is not legible.

12. *Scrutiny of voting*—After scrutiny, the Presiding Officer shall count the valid ballot papers and the person who received the highest number of votes shall be declared to have been elected by him. If there is equality of votes, the result shall be determined by lot.

13. *Preservation of ballot papers.*—(1) The presiding authority shall then seal up the ballot papers, whether counted or rejected, and note on each packet the numbers of papers it contains and the election to which it relates.

(2) These packets shall not be opened and their contents shall not be inspected or produced except under the orders of the Government or of an officer appointed by the Government under rule 17.

(3) The packets shall be retained in safe custody in the Board's office for three months and shall then, unless otherwise directed, be destroyed.

14. *Report to the Government.*—As soon as practicable after the election, the Presiding officer shall report the name of the person elected as Vice-Chairman to the Government or any officer appointed in this behalf along with the minutes of the proceedings of the meeting and the names of the members present.

15. *Notification of the election.*—Save in case in which there are reasons to believe that the election has not been duly held and further enquiry is necessary, the Government shall publish in the official gazette the name of the elected candidate who can thereupon enter on his duties as Vice-Chairman.

16. *Election petition.*—The validity of an election under these rules may be contested by a petition signed by at least two non-official members and filed before the Government or any officer authorised by the Government within seven days from the date of the election and shall state specific grounds on which the validity of the election is called into question.

17. *Disposal of the petition.*—Upon receipt of such a petition, an enquiry into the validity of such objection or objections shall be held by an officer appointed by the Government for the purpose and upon the conclusion of the enquiry, the said officer shall report the proceedings together with his opinion to the Government. It will thereupon be open to the Government to pass orders declaring the election to be valid or invalid. In the later case Government shall order re-election to be held.

By Order of the Governor.
A. K. ROY,
Secretary to the Government.

Rajasthan Khadi and Village Industries Board Provident Fund Rules, 1959.

Industries (A) Department
ORDER

Jaipur, June 8, 1959.

No. D. 1726/59/F. 22 IV (133) IND (A)/57.—In exercise of the power conferred by section 38 of the Rajasthan Khadi and Village Industries Board Act, (Act No. 5 of 1955), Government has been pleased to approve the adoption of the following Provident Fund Rules for the benefit of the employees of the Board with effect from 1st April, 1958.

By Order,
A. K. ROY,

Secretary to Government.

1. *Introduction.*—Whereas it is necessary to create and maintain provident fund to the benefit of the employees of the Rajasthan Khadi and Village Industries Board in exercise of the powers conferred by section 38 of the Rajasthan Khadi and Village Industries Board Act (No. 5 of 1955), the Government of Rajasthan, has made following rules :—

Notes.

Section 38 of the Rajasthan Khadi and Village Industries Board Act, 1955 reads as under : The Board may, with the previous sanction of the State Government, make regulations consistent with this Act and the rules made thereunder :—

(a) regulating its own procedure and the procedure of its committees, including the Executive Committee.

(b) defining the powers of the Secretary and other officers of the Board, and

(c) providing for any matter on which regulations are to be or may be made under this Act.

Rajasthan Khadi and Village Industries Board can appoint such officers and servants as it considers necessary for the efficient performance of its functions. Section 21 of the Act provides authority for the fixation and determination of pay and conditions of service of the servants and officers so appointed.

Section 21 of the Act reads as under :—The pay and other conditions of service of the Secretary to the Board shall be such as may be fixed by the State Government.

(2) The pay and other conditions of service of other officers and servants of the Board shall be such as may be determined by the Board regulations.

The present rules have been framed in pursuance of the above provisions of law.

2. *Short title.*—These rules shall be called the “Rajasthan Khadi and Village Industries Board Provident Fund Rules.”

3. *Application.*—These rules shall apply to every whole-time employee of the Board except the following :—

- (i) Retired and re-employed employees.
- (ii) Employees on deputation from the Government of Raj.
- (iii) Employees on special contract.
- (iv) Employees, who have not completed six months service.

Notes.

Clause (iv) has been newly added vide notification No. F. 39 (4) Ind / A/61 dated March 31, 1961, published in Rajasthan Raj-patra, part iv (c) dated May 18, 1961.

4. *Effective date.*—These rules shall be effect from 1-4-57 or any subsequent date fixed and notified by the Government.

5. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context :—

(a) 'Board' means the "Rajasthan Khadi and Village Industries Board established under section No. 3 of the aforesaid Act (No. 5 of 1955).

(b) 'Emoluments', means pay, leave salary and any other special pay sanctioned by the Board, but does not include, travelling allowance, dearness allowance, conveyance or such other allowances.

(c) Family means :—

- (i) In the case of a male subscriber, the wife or wives and children of a subscriber, and the widow or widows and children of a deceased son of the subscriber. Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the Community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently indicates by his express notification in writing to the Accounts Officer that she shall continue to be so regarded.

Note.—"In a case in which a person has given his child in adoption to another person and if under the personal law of the adopter, adoption is legally recognised as conferring the status of a natural child, such a child should for the purpose of these rules be considered as excluded from the family of the person who has given the child in adoption".

- (ii) In the case of a woman subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber :

Provided that if a subscriber by notification in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall thenceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

Note 1.—"Children" means legitimate children.

Note 2.—An adopted child shall be considered to be a child whom the Accounts Officer or if any doubt arises in the mind of the Accounts Officer, the Secretary, Rajasthan Khadi and Village Industries Board is satisfied that under the personal law of the subscriber adoption is legally recognised as concurring the status of a natural child.

Note 3.—An adopted child shall be treated as a natural child where the personal law of the subscriber allows adoption

(d) 'Government' means "The Government of Rajasthan".

(e) 'Employee' means every servant of the Board who holds a substantive post under the Board.

(f) 'Fund' means the Rajasthan Khadi and Village Industries Board's Provident Fund.

(g) 'Year' means a financial year beginning from the 1st April each year and ending on the 31st of March of the subsequent year.

(h) 'Subscriber' means an employee who is required or permitted to subscriber to the Provident Fund.

(i) 'Bank' means the Scheduled Bank with which the Board has an account.

(j) 'Interest' means interest accrued on the balance at credit of a subscriber to the provident Fund.

(k) 'Form' means a form appended to these rules.

(l) 'Secretary' means the secretary of the Board appointed by the Government under the provisions of rule No. 9 of the Rajasthan Khadi and Village Industries Board Act No. 5 of 1955.

(m) 'Accounts Officer' means such officer as may be appointed by the Board.

6. *Constitution of the Fund*—(a) A fund shall be created and called as the Rajasthan Khadi and Village Industries Board's Provident Fund' and shall be maintained in rupees.

(b) All whole-time employees including class IV servants of the Board shall be eligible to join the Fund except these mentioned in Rule, 3.

7 *Administration*—The Fund shall be administered by the Secretary and shall be maintained by the Accounts Officer of the Board.

8 *Rate and Realisation of subscription.*—(a) The subscription of an employee contributing to the fund shall be six and one quarter per cent (one anna in the rupee) of his emoluments.

(b) Subscriptions shall be deducted by the Board from the emoluments payable to the subscriber every month provided that in calculating and deduction to be made, fraction of a rupee of the salary shall be disregarded.

(c) (i) A subscriber at his election, may not subscribe during leave.

(ii) Failure to make due and timely intimation shall be deemed to constitute an election to subscribe during leave.

(iii) A subscriber shall not subscribe to the P. F. during leave without pay or under suspension. He shall, however, on reinstatement after a period passed under suspension be allowed the option subscribe for that period at the discretion of the Secretary.

Note.—A subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying arrears of subscription in one sum or in instalments not exceeding six.

9. *Contribution by the Board.*—The Secretary shall contribute from the Fund of Rajasthan Khadi and Village Industries Board to the P.F. Account of each subscriber at $6\frac{1}{4}$ per cent of the subscriber's emoluments drawn during the year during which he subscribed to the Fund.

Provided that :—

(a) If a subscriber resigns the service of the Board before he has completed two years service, he shall not be entitled to contribution made by the Board and interest thereon.

(b) If a subscriber is dismissed or tenders resignation from the service of the Board, or is called upon to resign on account of misconduct or *inefficiencies*, or resigns without one months notice, the chairman at his own discretion, may withhold the whole or any part of the contribution made to his Provident Fund by the Board and the interest thereon.

Notes

Clause (a) to the proviso stand newly substituted for the previous one vide the same amending notification dated March 31. 1961 referred above, Previous clause (a) read as under :—

(a) If a subscriber resigns the service of the Board before he has completed two year's service, he shall not be entitled to contribution, made by the Board and interest thereon.

10. *Subscriber's Account.*—The Board shall maintain an account of Provident Fund in form P.F.(1) for each subscriber and there shall be entered therein :—

- (i) Subscriber's subscription;
- (ii) Contribution made by the Board;
- (iii) Interest on subscription;
- (iv) Interest on contribution; and
- (v) Balance at the close of month.

11. *Interest.*—(1) The Secretary shall pay to the credit of the account of a subscriber interest (a) $3\frac{3}{4}$ per annum.

(2) Interest shall be credited with effect from 31st March, of each year in the following manner :—

(i) *On the amount at the credit of a subscriber on the 31st March of the preceding year less any sum withdrawn during the current year.*—Interest for 12 months.

(ii) *On sums withdrawn during the current year.*—Interest from 1st April of the current year up to the last day of the preceding month of withdrawal.

(iii) *On all sums credited to the subscribers account after the 31st March of the preceding year.*—Interest from the date of deposit up to 31st March of the current year.

12. *Annual Statement of Account.*—At the end of each year in the second week of April the Board shall send to each subscriber a statement of account of the Provident Fund in form P.F.(2) showing the opening balance of his account as on 1st April, the total

amount added thereto by way of his subscription, the contribution of the Board and the interest accrued during the year and the closing balance at the credit of subscriber's account at the end of the year as on 31st March.

13. *Custody of the Fund.*—(1) The Board shall open a Savings Bank Account, to be called 'The Rajasthan Khadi & Village Industries Provident Fund Account' with a Scheduled Bank, and by the 10th day of each month, shall pay into such account, the amount of all subscriptions recovered under the provision of rule 8 and of the contribution payable under the provisions of rule 9.

(2) The Secretary of the Board shall operate upon the 'Rajasthan Khadi and Village Industries Board's Provident Fund Account;

14. *Withdrawals from fund.*—No sum shall be allowed to be withdrawn from the Savings Bank Provident Fund Account except:—

(a) For the purpose of investment or deposit under the provisions of sub-rule (i) of rule No. 15.

(b) For the purpose of making an advance to a subscriber under the provisions of sub-rule b, of (I and II) of rule No. 16.

(c) When a subscriber's account is to be closed on account of retirement or death or transfer or removal or resignation, for immediate payment to the subscriber or his heirs or to another local body, under the provision of rule No. 18.

15. *Investment of Provident Fund Money.*—(1) With the sanction of the Board, the Secretary may from time to time withdraw any sum from the Provident Fund Savings Bank account and may invest or deposit, such sum under the provision of sub-rule (3) of rule 26 of the Rajasthan Khadi and Village Industries Board Act (No. 5 of 1955).

(2) Investments shall be in the following securities:—

(i) Fixed deposits with a Scheduled Bank.

or

(ii) Treasury Savings Certificates.

or

(iii) Postal Cash Certificates.

or

(iv) National Savings Certificates.

or

(v) Government Securities.

All securities, fixed deposit Receipts and certificates shall be kept in the custody of the Secretary.

3 (a) The interest obtained by the investment or deposit of any sum under the provision of sub-rule (i) above shall be deposited in the Savings Bank Account of the Rajasthan Khadi and Village Industries Board's Provident Fund.

(b) Provided that if such interest is larger than the amount of the interest to be credited for subscribers account under the provision of rule 11 the difference between the interest so obtained and the interest to be credited to the subscribers account shall be credited to the Board's Fund.

4. (i) At the close of three years after the institution of the Fund and at a regular interval of three years thereafter the Secretary shall furnish to the Board for scrutiny a statement showing the total amount of Provident Fund investments held by the Board.

(ii) If the Board, after quinquennial scrutiny, finds that any of the investments held by the Secretary out of the Provident Fund have depreciated in value, they may direct that an amount not exceeding the amount of such depreciation shall be drawn out of its fund and credited to the Board's Provident Fund Savings Bank Account.

16. *Advances from the Fund.*—(a) The Chairman of the Board may sanction, temporary advance from the amount of the Provident Fund to a subscriber up to three month's pay and provided that such advances shall in no case exceed half of the amount of subscriber's own subscription to the Fund and the interest thereon standing at his credit.

(b) No advance shall be granted unless the Chairman of the Board is satisfied that the subscribers pecuniary circumstances justify it and that it will be expended on the following purposes and for no other purpose:—

(i) to defray expenses incurred in connection with the prolonged illness of the subscriber, or a member of his family actually dependent on him, or

(ii) to pay obligatory expenses in connection with marriage or funerals or other ceremonies which by religion it is incumbent upon him to perform.

(c) Provided that when an advance has already been granted to a subscriber, a subsequent advance shall not be granted to him until complete repayment of the last advance and the interest thereon, has been made except for very special reasons to be judged and recorded by the Chairman of the Board.

(d) The amount of an advance shall be repayable in such number of equal monthly instalments not exceeding twenty four, as may be fixed by the Chairman when sanctioning the advance and such instalments shall be recovered along with the subscription in the manner provided in rule 8. A subscriber may at his option, repay more than one instalment in one month. Each instalment shall be a number of whole rupee, the amount of the advance being raised or reduced if necessary to admit of the fixation of such instalments.

(e) If under the provisions of clause (a) or (b) to rule 9 the Board's contribution is to be withheld when a subscriber's account is closed, and any portion of an advance made to such subscriber is still outstanding then the amount of the advance outstanding plus the amount of interest last calculated on the monthly outstanding balance of the advance shall be added to the amount standing at credit of the account in form P.F.I for the purpose of calculating the Board's share of the total at the credit of the account.

17. *Nomination*.—(1) Each subscriber shall, soon after he joins the Provident Fund, be called upon by the Secretary to furnish a declaration in form P.F. 3 in favour of one or more members of his family in such proportions as he may like showing the amount of share payable to each of the nominee and the mode of distribution desired by him to cover the whole of the amount of his Provident Fund that may stand at his credit in the event of his death.

(2) A subscriber who has no family may nominate any other person or persons instead, provided that such a nomination shall be deemed to have been duly made in accordance with these rules only for as long as the subscriber has no family.

(3) If a subscriber at any time acquires a family or remarries, any declaration already made under sub-rule (1) or (2) above as the case may be, shall, forthwith become null and void and unless a revised declaration is received by the Board the amount of his accumulations shall be dealt with under the provisions of rule 18 as the case may be.

(4) A subscriber may at any time cancel or replace a nomination by sending a notice to the Secretary provided that he shall along with such notice send a fresh nomination permitted under this rule.

(5) Every nomination made and every notice of cancellation given by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Secretary, provided that on such date the subscriber is in the employment of the Board.

(6) All such nominations when received shall be carefully recorded and kept in the safe custody of the Secretary of the Board.

(7) The Secretary of the Board shall endeavour to secure the nominations of the subscriber required under this rule by the issue of constant reminders. If after the issue of six reminders no such nominations are received it will be held that the subscriber does not want to make any nomination.

18. *Withdrawal on final closing of Accounts*.—(1) When a subscriber dies, the amount shown at the credit of his account in the Provident Fund Ledger (Form P.F. I.) plus interest accrued to date shall be withdrawn from the Savings Bank Account of the Fund and payment of such amount shall be made as follows:—

- (a) *When the subscriber leaves a family:—*(i) If a nomination made by the subscriber in accordance with the provision of rule 17 in favour of a member or members of his family subsists, the amount standing to his credit in the fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in proportion specified in the nominations.
- (ii) If no such nomination, in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part, not covered by the nomination shall notwithstanding any nomination purporting to be in favour of any person other than a member of the subscriber's family become payable as to one moiety to the husband of the widow (or in equal shares to the widows) as the case may be and as in the other moiety in equal shares to the children of the subscriber:

Provided that if one or more of his sons have died leaving behind their widows or sons or both, the respective shares of each such deceased son shall be payable in equal shares amongst their sons, widows or both:

Provided further that if the subscriber has left only a husband or wife or widows, as the case may be, the amount shall become payable to such husband or widow or in equal shares to such widows, as the case may be or if the subscriber has left only children, the whole of the amount shall become payable to such children in equal shares subject to first proviso above or failing both children and widow or widows or husband, as the case may be, in equal shares among other members of the family:

Provided also that no share shall be payable to (i) a married daughter, whose husband is alive (ii) married daughter of a deceased son whose husband is alive, if there is any member of family other than those specified in clauses (i) and (ii) above.

- (b) *When the subscriber leaves no family:—*(i) If a nomination, made by, him in accordance with the provisions of rule 17 in favour of any person or persons subsists, the amount standing to his credit in the fund or the part thereof to which the nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.
- (ii) If no nomination, made by him in accordance with the provisions of rule 17, subsists, or if such nomination relates only to a part of the amount standing to his credit

in the fund, the whole amount or part thereof to which nomination does not relate shall be payable to persons producing legal representation to the estate of the deceased subscriber.

Explanation:—(i) For the purpose of this rule, as subscriber's posthumous child shall be considered to be a member of his family at the time of his death and, if born alive, shall be treated in the same way as a surviving child born before the subscriber's death.

(ii) The case of a posthumous child already born when the case is taken up by disbursing officer, will present no difficulty. For the rest, if the possibilities of the birth of a posthumous child is brought to the notice of the disbursing officer, the amount which will be due to the child in the event of its being born alive, shall be retained, and the balance distributed in the normal way under the sub-rule referred to above. If the child is born alive, payment of amount retained should be made as in the case of a minor child; but if no child is born or the child is still born the amount retained should be distributed among the family in accordance with the sub-rule above cited.

(2) Subject to the provisions of rule 19 when a subscriber ceases to be an employee of the Board, the amount shown to the credit of his account in the Provident Fund Ledger (P. F. I.) plus interest accrued to date shall withdrawn and paid to him.

(3) When an account is closed under the provisions of this rule, a line shall be drawn in red ink across the place below the last entry in the Provident Fund Ledger account and the words 'Dead Account' shall be recorded and signed by Accounts Officer of the Board.

19. *Amounts to be withheld when account is closed.*—Notwithstanding anything contained in rule 18 if any sum is due from a subscriber to the Board at the time when his account is closed, the Secretary may deduct such sum before making payment under rule 18 from the amount at the credit of his Provident Fund Account.

20. *Voluntary Deposits.*—No voluntary deposits from an employee of the Board shall be accepted and credited to the Provident Fund Account.

21. *Delegation of Powers.*—Board may delegate all or any of its powers under these rules to Chairman or the Secretary.

Provident Fund Ledger—Account No.....

Name of Subscriber..... Son of.....
Wife of

Months 195-193	1	2	3	4	5	6	7	8	9	10	11	12	Remarks
April													
May													
June													
July													
August													
September													
October													
November													
December													
January													
February													
March													
Total													
Calculated by													Accounts Officer.
Checked by													

Form P. F. No. 2
See rule No. 12

Year of Account.....
Rate of Interest.....

Account No.	Name of Subscriber with parentage	Opening Balance on 1st April	*Deposits During the year	Interest for the year	Withdrawals	Balance
1	2	3	4	5	6	7

Includes recoveries made during the months of April to March.

Note 1:—The Subscriber is requested to state whether he desires to make any alteration in any nomination made under the rules of the funds. Vide rule No. 17 (4).

Note 2:—The Subscriber is requested to satisfy himself as to the correctness of the Statement and to bring errors any to the notice of the Accounts Officer within three months from the date of its receipt.

Accounts Officer,

Rajasthan Khadi and Village Industries Board, Jaipur.

Rajasthan Khadi & Village Industries Board

Form P. F. No. 3

See Rule No. 17.

I hereby declare that in the event of my death the amount at my credit in the provident fund shall be distributed among the persons mentioned below in the manner shown against their names.
The amount due to nominee who is a minor at the time of my death should be paid to the person whose name appears in Column 5.

Name & address of the Nominee or Nominees	Relationship with the Subscriber	Whether major or minor, ? if minor, state his age	Amount of share of deposit	Name & address of the person to whom payment is to be made on behalf of the minor	Sex & parentage of person mentioned in col. 5	Remarks
1	2	3	4	5	6	7

*Here state unmarried, married or widow.

Two witness to signature of subscriber:—

Witness No 2

Witness No. 1

Signature

Occupation

Address

Signature

Occupation

Address

Signature of Subscriber.....

Occupation of "

Address of "

Station "

Date

Note:—A subscriber having a family as defined is not permitted in this form of Nomination to leave the amount of his accumulation in the Fund or any part of it to any one outside his family.

Accounts Officer,

Rajasthan Khadi & V. I. Board, Jaipur.

ERRATA

please read the following things correctly, which were erroneously printed in Notification of even number dated the 25th November, 1959, regarding the Rajasthan Circuit Houses Service Rules, 1959, in the Rajasthan Gazette dated the 31st December, 1959, Part IV-C, pages 1085 to 1093:—

1. *Rule No. 12*:—The word “manager” appearing in sub-clause (2) of the Rule, should begin with capital letter “Manager”.
2. *Rule No. 21*:—The Word “for” appearing at the end of the 3rd line of the Rule, should be “forwarded”.
3. *Rule No. 23*:—The word “intelligency” appearing in sub-clause (2) (b) of the Rule, should be “intelligence”.

Rajasthan Khadi and Village Industries Board (Purchase of Stores & Stocks) Rules, 1961

Industries (A) Department

NOTIFICATION

Jaipur, July 26, 1961.

No. F. 25 (5) Ind. (A)/61.—In exercise of the powers conferred by section 35 and 37 of the Rajasthan Khadi and Village Industries Board Act, 1955 (Rajasthan Act 5 of 1955) the State Government hereby makes the following rules, namely :—

1. *Short title.*—These rules shall be called “The Rajasthan Khadi and Village Industries Board (Purchase of Stores and Stocks) Rules, 1961.”

2. *Applicability.*—These rules shall apply to all purchases of stores and stocks made by the Board.

3. *Definition.*—The term stores and stock used in these rules applies to all articles and materials purchased for the use of the offices of the Board and other commercial centres run by the Board including expendable and consumable articles either for use or stock, articles of dead stock of the nature of plant, machinery, tools equipment, fixture and furniture etc.

4. *Power for purchases.*—An authority competent to incur contingent expenditure may sanction the purchase of stores required for use in accordance with the provisions contained in the following paras subject, however, to the usual provisions and conditions prescribed by Government generally in regard to specific articles, e.g. typewriters, motor vehicles etc. and to the monetary limits noted below :—

Name of the officer authorised to sanction the purchase.			Amount up to which purchase is sanctioned.
1			2
1. Board	....	....	Above Rs. 20,000/- subject to budget limits.
2. Secretary	....	....	(i) Up to Rs. 20,000/- at a time but not exceeding Rs. 2,00,000/- in a financial year for trading account. (ii) Up to Rs. 2,000/- in a year for the purpose of dead stock.
3. Manager Saranjam	....	....	Rs. 1,000/- at a time but not exceeding Rs. 5,000 in a financial year for trading account.

- | | | |
|---|------|--|
| 4. Manager Emporium | .... | Rs. 10,000/- at a time but not exceeding Rs. 1,50,000/- in a financial year for trading account. |
| 5 Manager, woollen Production Centre | .... | Rs. 5,000/- at a time but not exceeding Rs. 1,00,000/- in a financial year for trading account. |
| 6. Manager, T. C. P. Sanaganer | .... | Rs. 1,000/- at a time but not exceeding Rs. 25,000/- in financial year for trading account. |
| 7. Asstt. Secretary of the Board during the absence of the Secretary. | .... | Up to Rs. 10,000/- at a time but not exceeding Rs. 50,000/- in a financial year for trading account. |

Note.—Purchases above Rs. 500/- in individual cases made by officers at item No. 2 to 7 above, the prices of which are not fixed and controlled by the All India Khadi and Village Industries Commission shall be put up at the next meeting of the Board or such other Committee which may be so authorised by it for confirmation.

All stores should be purchased in such a manner so as to encourage the development of village industries as defined under section 2 (d) of the Rajasthan Khadi and Village Industries Board Act 1955) consistent with economy and efficiency. No tenders shall, however, be necessary for purchases of any of the articles, the prices of which are fixed and controlled by the All India Khadi and Village Industries Commission.

5. *Purchase of stores other than Khadi*.—Purchases shall be made in the most economical manner according to requirements approved by the Board. Stores should not be purchased in small quantities as far as possible. Purchase orders should not be split up to avoid the necessity of obtaining the sanction of the higher authority required with reference to their financial powers.

6. *Procedure for inviting tenders*.—The following procedure for obtaining tenders or inviting quotations for purchase of articles, the prices of which are not controlled by the Commission, shall be followed.

- (i) by advertisement (open tenders).
- (ii) by direct invitation to limited number of firms (limited tenders).
- (iii) by invitation to one firm only (single tender), or
- (iv) by open bid system. A Committee of 3 persons including Accounts Officer up to Rs. 15,000/-

(a) *The open tender system*.—Viz. Invitation to tenders by public advertisement should be adopted in all cases as a general rule where the value of goods to be purchased is Rs. 2,000/- or over.

(b) *The limited tenders system.*—Should be adopted only in case of orders where the value of goods to be purchased does not exceed Rs 2,000/-.

(c) *The Single tender system.*—May be adopted in case of small orders where articles of a proprietary character involving no competition are to be purchased to meet requirements of immediate nature.

Note:—A small order for this purpose shall be interpreted to mean an order, the total value of which does not exceed Rs. 20/-.

7. *Limited tender system*—(1) The limited Tender System may however, be adopted instead of Open tender System even when the estimated value of the tender to be received is not less than Rs. 2,000/- when the sufficient reasons exist to indicate that it is not necessary in the public interest to call for tenders by advertisement. In every such case the reasons must be recorded by the purchasing authority in writing.

(2) In all such cases the indenting officer must place on record the nature of the emergency as also the reasons as to why these requirements were not brought to notice earlier and all such cases in which purchases are made under this rule should be placed before the Board at the next meeting.

8. *Tender.*—The invitation for tender should contain full particulars of the articles to be purchased viz. specification make quantity quality of the material to be used and terms and conditions of supply and payment etc.

9. *Purchase plans; machinery etc.*—Important plants, machineries, iron and steel works shall be obtained only from the firms approved by the Board/Government from time to time.

Note:—(i) A regular list of approved firms shall be maintained.

(ii) To start with the Board may adopt list maintained by the D. G. S. D. and in the case of iron and steel registered stockholders stockists appointed by Government.

(iii) Further additions in the lists mentioned in sub-para (ii) above should be made after calling applications from firms with detailed particulars regarding their claims and then getting their names approved by the Executive Committee.

10. *Advertisement of tender invitation.*—While inviting tenders for the purchase of articles due publicity shall be given by publication of the Notice for tenders in at least two leading newspapers including at least one local paper having widest circulation at least thirty clear day before the date on which tenders are opened.

11. *Consignment sale.*—(1) Khadi Gramodhyog Bhavan may accept the articles manufactured by the production centres and

Khadi Institutions etc. for sale on consignment basis for a period not exceeding one year.

The manufacturers shall be liable to bear all direct expenses including transportation charges of all such consignment f. o. r. Jaipur as well as losses in transit, spoilage breakage etc.

(2) Payment for goods received on consignment basis shall be made on the sale of the article in question.

Notes.

Words "after deducting 6½% of the sale price of the same as supervision charges" previously occurring at the end have now been deleted vide Industries 'A' Department Notification No. F. 25 (6) Ind. (A) 61 dated August 29, 1961.

Published in Raj. Raj-patra part IV (c) dated October 19, 1961 :

12. *Handi Crafts purchases* — Artistic articles for sale in the Khadi Gramodyog Bhawan shall be purchased by a Committee (to be constituted by the Board) consisting of 3 members including one artisan and this committee shall meet as and when necessary and shall select and sanction the purchases of artistic articles of the latest model, design and taste at competitive rates to the extent of Rs. 5,000/- at a time.

13. For purchase of handicraft articles for sale at the Emporia limited tender system i.e. by direct invitation to approved firms shall be adopted. The Board shall approve names of such firms from time to time.

By Order of the Governor,
A. K. ROY,
Secretary to the Government.

Rajasthan Khadi & Village Industries Board (Term of Office of Members) Rules, 1961.

Industries (A) Department NOTIFICATION

Jaipur, February 23, 1961.

No. F. 6 (26) Ind./A/56 — In exercise of the powers conferred by section 37 read with section 7 of the Rajasthan Khadi and Village Industries Board Act, 1955 (Rajasthan Act 5 of 1955), the State Government hereby makes the following rules, namely :—

1. *Short title and commencement.*—These rules may be called the Rajasthan Khadi and Village Industries Board (term of office of members) Rules, 1961.

(2) These rules shall come into force at once.

2. *Definitions.*—In these rules :—

(1) “Act” means the Rajasthan Khadi and Village Industries Board Act, 1955 (Rajasthan Act 5 of 1955);

(2) “Chairman” means the Chairman of the Board and

(3) “Member” means a member of the Board.

3. *Term of office.*—Subject to other provisions of these rules, the term of office of a member of the Board shall be three years from the date of his appointment :

Provided that :—

(i) The term of the members holding office at the commencement of these rules shall expire on the first day of April, 1961; and

(ii) A member appointed to fill a casual vacancy under section 14 of the Act shall hold office for the remainder of his predecessor's term.

4. *One-third of the members to retire every year.*—As nearly as may be, one-third of the non-official members shall retire on the first day of April, in the year 1962 and 1963 in the manner hereinafter mentioned :

Provided that the members to be retired on the First Day of April, 1963 shall be out of such members as did not retire on the 1st Day of April, 1962.

5. *Procedure of retirement.*—(1) The Chairman shall, sufficiently in advance of the first day of April, 1962 and of the first day of April, 1963, determine the number of non-official members that shall retire in accordance with rule 4, and convene a meeting of the Board on the date and time and at the place to be fixed by him for the purpose of selecting such members.

(2) A notice of such meeting shall be sent to every member so as to reach him not later than the 7th day before the date fixed for the meeting.

(3) The Chairman shall prepare as many chits of blank papers as there are non-official members subject to retirement under rule 4, and write before all the members present, the name of each of such non-official members separately on one of such chits.

When the chits have been so prepared and initialled by the Chairman, they shall be folded up so as to conceal the names written therein and then mixed up and put in a vessel so that they may not be visible from outside.

(4) The vessel containing the chits shall be placed in the centre of the place where the meeting is held and a stranger shall be called upon to draw out, one by one, from the vessel, by thrusting his hands therinto and without looking into the interior thereof, as many folded chits as are equal to the number of members to retire.

(5) The Chairman shall take each chit so drawn out, unfold it and read out the name of the member written therein and note his name in the proceedings drawn up under rule 6.

6. *Proceedings of the meeting.*—The Chairman shall draw up the proceedings of the meeting setting out therein clearly everything done and every step taken and the names of the members whose names appear on the chits drawn out under rule 5. One copy of such proceedings shall be sent to the Secretary to the Government in the Industries Department, Rajasthan, Jaipur.

7. *Retirement.*—The members whose names have appeared on the chits drawn under rule 5 shall vacate their office on the first day of April next following. Such retiring member shall be eligible for re-appointment.

8. *Disputes*—If there arise any dispute in respect of any matter or proceeding, under these rules, the decision thereon of the State Government shall be final and binding on all members.

By Order of the Governor,
A. K. ROY,
Secretary to the Government.

Notifications under

RAJ. KHADI & VILLAGE INDUSTRIES BOARDS ACT, 1955

Published in Raj. Raj-patra Dated January 9, 1958 part IV (c) at page 888 :

INDUSTRIES (A) DEPARTMENT

NOTIFICATION

Jaipur, December 18, 1957

No. 8767/P. 6 (26) I/56.—In pursuance of the provisions of section 37 read with section 6 (1) of the Rajasthan Khadi and Village Industries Board Act, 1955, the Governor has been pleased to invest the Chairman of the Board or any authority subordinate to him if so delegated by the Chairman, with the following powers:—

To make appointments in connection with the affairs of the Board on all such posts, the maximum of the pay scales of which does not exceed Rs. 180/- p.m.

By Order,
A. K. ROY,
Secretary to the Government.

Notifications under

THE RAJASTHAN KHADI AND VILLAGE INDUSTRIES BOARD
ACT, 1955.

Published in Raj. Rajpatra part I (a) dated June 23, 1960 at page 83

(English Translation Authorised by the Governor)

Jaipur, March 25, 1960.

No. D. 341/F. 6 (26) Ind. (A)/56.—In partial modification to this Department notification No. D. 6767/F. 6 (26) I/56 dated the 18th December, 1957, the Governor has been pleased to invest the Chairman of the Rajasthan Khadi and Village Industries Board or any authority subordinate to him if so delegated by the Chairman, with the following powers:—

“To make appointments in connection with the affairs of the Board of all such posts, the maximum of the pay scale of which does not exceed Rs. 200/-per month.”

By Order,
Z. S. JHALA,
Secretary to Government.

Rules and Notifications under

LAND ACQUISITION ACT, 1953. THE RAJASTHAN
(24 OF 1953).

The Rajasthan Land Acquisition Rules, 1956.

REVENUE DEPARTMENT

In pursuance of clause (3) of Article 348 of the Constitution of India His Highness the Rajpramukh is pleased to authorise the publication of the following translation in the English language of the Rajasthan Land Acquisition Rules, 1956.

NOTIFICATION

Jaipur, August 27, 1956.

No. F. 13 (1) Rev. 1/54.—In exercise of the power conferred by section 55 of the Rajasthan Land Acquisition Act, 1953, (Rajasthan Act XXIV of 1953) the State Government has made the following rules, the same having been previously published as required by sub section (3) of the said section.

R. N. HAWA,
Secretary to the Government.

Notes

These rules have been framed in exercise of the powers conferred by section 55 of the Act which authorises the Government to make rules, consistent with the Act, for the guidance of officers in all matter connected with the enforcement of the Act.

PART A

Preliminary.

1. *Short title and commencement.*—(1) These rules may be called the Rajasthan Land Acquisition Rules, 1956.

(2) They shall come into force at once.

2. *Interpretation.*—In these rules, unless the context otherwise requires,—

(a) "Act" means the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953);

(b) "form" means a form appended to these rules, and

(c) "section" means a section of the Act.

PART B

Rule dealing with the issue and publication of notification under section 4 of the Act.

3. *Notification under section 4.*—

(1) The notification under section 4 may be in Form No. 1.

The rules have been first published in Rajasthan Raj-patra dated Sept. 6, 1956 part IV (c) at page 527.

(2) After the issue of the notification under section 4, the Collector shall cause public notice of its substance to be given in convenient places and undertake a survey of the land where necessary.

Present rule 3 has been newly substituted for the previous one vide Revenue (B) Department Notification No. F.1 (35) Rev. B/60 dated January 11, 1961, published in Rajasthan Raj-patra, part IV (c) dated March 2, 1961.

3. *Notifications under sections 4 and 5.*—(1) The notification under section 4 may be in Form No. 1.

(2) After the issue of the notification under section 4, the Collector shall cause public notice of its substance to be given in convenient places and undertake a survey of the land where necessary and send his report to the Government under sub-section 1 of section 5.

(3) After considering the report, if any, the Government shall publish a further notification under sub-section (2) of section 5, which may be in Form No. 2. The Collector shall cause public notice of the substance of this notification also to be given at convenient places. The notice shall also require all persons interested in the land to lodge before the Collector, within 30 days of the issue of the notification, a statement in writing of their objections, any, to the proposed acquisition. Copies of the notice shall be affixed on the notice boards of the offices of the Collector and the Tehsildar, and in the nearest police station.

PART C

Objections under section 5-A.

Notes

The rules in this part prescribe the procedure for dealing with objections by persons interested in any land notified under section 5 of the Act, Section 5 A providing for the hearing of such objections reads as under :—

(1) Any person interested in any land which has been notified under section 5 as being needed or likely to be needed for public purpose or for a company may, within thirty days after the issue of the notification, object to the acquisition of the land or of any land in the locality, as the case may be.

(2) Every objection under sub-section (1) shall be made to the Collector in writing and the Collector shall give the objector an opportunity of being heard either in person or by pleader and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the Government, together with the record of the proceedings held by him and a report containing his recommendations on the objections. The decision of the Government on the objections shall be final.

(3) For the purpose of this section, a person shall be deemed to be interested in land in who would be entitled to claim an interest in compensation if the land were acquired under this Act.

4. *Statement of objections.*—(1) The statement of objections under section 5-A is to be in writing.

(2) In the enquiry into the objections, the Collector shall particularly investigate—

(a) whether the objector is in actual possession of the interest;

(b) whether the objector can show some specific ground, such as these—

(i) the notified purpose is not genuinely or properly a public purpose;

(ii) the land notified is not suitable for the purpose for which it is notified;

(iii) the land is not so well-suited as other land;

(iv) the area proposed is excessive;

(v) the objector's land has been selected maliciously or vexatiously;

(vi) the acquisition will destroy or impair the amenity of historical or artistic monuments and places of public resort, will take away important public rights of way or other conveniences or will desecrate religious buildings, grave-yards and the like.

5. *Disposal of objections.*—(1) If a statement of objections is filed after the due date, or by a person who is not interested in the land, it shall be summarily rejected.

(2) If any objections are received from a person interested in the land and within the time prescribed in sub-section (1) of section 5-A, the Collector shall fix a date not earlier than seven or later than twenty-one days from the date of receipt of the objections for hearing the objections, and give notice thereof to the objector as well as to the department or company requiring the land, where such department is not the Revenue Department. Copies of the objections shall also be forwarded to such department or Company.

(3) The department or company may file, on or before the date fixed by the Collector, a statement by way of answer to the objections and may also depute a representative to attend the enquiry.

(4) On the date fixed for enquiry, or any other date to which the enquiry may be adjourned by the Collector, the Collector shall hear the objector or his pleader and the representative, if any, of the department or company.

(5) The duty of hearing objections under section 5-A shall be performed by the Collector in person and shall not be delegated.

(6) The right of the objector under sub-section (2) of section 5 A shall extend not only to the making of a written objection, but also to the adducing of evidence, if he so desires, in support of his objection.

(7) On the application of either party, the Collector may exercise his powers under section 14 of compelling the attendance of witnesses and production of documents. The proceedings shall be summary and no oath need be administered to the witnesses.

(8) A memorandum of the statements of the witnesses shall be made and signed by the Collector and shall form part of the record.

(9) The hearing may be adjourned by the Collector from time to time, if necessary.

6. *Collector's report to Government.*—The Collector, after hearing all the objections and recording a memorandum of the evidence produced in support of or against the objections, and after making further enquiry, if he thinks fit, and after inspecting the land proposed to be acquired if he considers this necessary, shall submit the case for the decision of the Government, together with the record of the proceedings held by him and a report containing his recommendation on the objections.

PART D

Rules dealing with the issue of declaration under section 6 of the Act and action pursuant thereto.

Notes.

The rules 7 to 12 deal with the form of declaration, its publication and action pursuant thereto as required under sections 6, 7 and 8 of the Act. Sub-section (1) of section 6 requiring such declaration provides that:—

(1) Subject to the provisions of Part VII of this Act, when the Government is satisfied, after considering the report, if any, made under section 5-A, sub-section (2), that any particular land is needed for a public purpose, or for a company, a declaration shall be made to that effect under the signature of a Secretary to Government or of some officer duly authorised to certify its orders;

Provided that no such declaration shall be made unless the compensation to be awarded for such property is to be paid by a company, or wholly or partly out of public revenues or some fund controlled or managed by a local authority.

After issue of this declaration procedure contained in sections 7 and 8 is required to be followed. The rules 9 to 12 of this part are meant to put into effect the requirements of sections 7 and 8 of the Act which are reproduced below:—

Whenever any land shall have been so declared to be needed for a public purpose or for a Company, the Government, or some officer authorised by the Government in this behalf, shall direct the Collector to take order for the acquisition of the land.

The Collector shall there-upon cause the land (unless it has been already marked out under section 4) to be marked out. He shall also cause it to be measured, and if no plan has been made thereof, a plan to be made of the same.

7. *Further procedure on Government's decision for or against the acquisition.*—On a consideration of the objections and the Collector's report thereon, if Government decide that the land should be acquired, a draft of the declaration required under section 6 shall be submitted by the Collector of the district, or Collectors of the districts concerned, to Government for approval and publication in the official gazette. If, on the other hand, the Government decide to give up the acquisition, a notification cancelling the notification issued under section 4 shall be published by them.

8. *Form of declaration under section 6.*—The declaration under section 6 may be in Form No. 3.

9. *Procedure after issue of declaration under section 6.*—After a declaration under section 6 has been published in the *Rajastan*

than Gazette, the Collector shall be responsible for all further proceedings in accordance with the provisions of the Act.

10. *Procedure of Collector empowered under section 7.*—When the Collector has received a direction under section 7 to take order for the acquisition of the land, he shall proceed in accordance with the provisions of section 8 *et seq.*

11. *Land to be marked out.*—Under section 8 the Collector shall send to the Tehsildar a copy of the notification issued under section 6 and have the land marked out and measured. At the time of marking out and measuring the land, an officer of the department or company for which the land is to be acquired should, if possible, be present, and see that the boundaries are correctly aligned.

12. *Treatment of discrepancies in measurement*—When action is taken under section 8 and it is found that there is a discrepancy between the land to be acquired and the description or measurement of the land given in the notification, the proceedings need not be stayed. Provided the notification describes the land with approximate correctness and the persons interested in the land have had due notice of Government's intention to acquire the land, the acquisition should be completed, and no revised notification need be issued.

PART E

Rules dealing with the notice under section 9 and subsequent action.

13. *Form of notice under section 9.*—The notice to persons interested in the land, required to be served under section 9, may be in Form No. 4.

Notes.

Section 9 of the Act requiring this notice provides as under;—

(1) The Collector shall then cause public notice to be given at convenient places on or near the land to be taken, stating that the Government intends to take possession of the land, and that claims to compensation for all interests in such land may be made to him.

(2) Such notice shall state the particulars of the land so needed, and shall require all persons interested in the land to appear personally or by agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice), and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, and their objections (if any) to the measurements made under section 8. The Collector may in any case require such statement to be made in writing and signed by the party or his agent.

(3) The Collector shall also serve notice to the same effect on the occupier (if any) of such land and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorised to receive service on their behalf, within the revenue district in which the land is situate.

(4) In case any person so interested resides elsewhere and has no such agent, the notice shall be sent to him by post in a letter addressed to him at his last known residence, address or place of business and registered under the Indian Post Office Act, 1898 (VI of 1898).

14. *Notice to departmental officer.*—The Collector shall give at least 15 day's previous notice of the date fixed under section 9 to the departmental officer acting on behalf of the department for the acquisition of land, or to the company, in order that he or they may have an opportunity of making, in person, by agent or by letter, any representation regarding its value which he or they may think necessary.

15. *Consideration of representation made*—Due consideration shall be given by the Collector to any representations (whether made in person, by agent or by written statement) that the departmental officer or company may make in response to the notice.

PART F

Rules dealing with the award under section 11.

Notes.

Section 11 of the Act requires the Collector to inquire into objections filed in pursuance to notices under sections 9, 8 and 4 of the Act and to make an award thereafter. The rules in this part prescribe the procedure for enquiry and award under this section. The section reads as under:—

(1) On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections (if any) which any person interested has stated pursuant to a notice given under section 9 to the measurements made under section 8, and into the value of the land at the date of the publication of the notification under section 4, sub-section (1), and into the respective interests of the persons claiming the compensation and shall, except for reasons beyond his control, make an award within a period of six months commencing from the time fixed under sub-section (2) of section 9 under his hand of—

- (i) the true area of the land;
 - (ii) the compensation which in his opinion should be allowed for the land;
 - (iii) the apportionment of the said compensation among all the persons known or believed to be interested in the land of whom, or of whose claims, he has information, whether or not they have respectively appeared before him; and
 - (iv) the costs which, in his opinion, should be allowed to any person who is found to be entitled to compensation and who is not entitled to receive the additional sum of ten per centum mentioned in sub-section (2) of section 23, as having been actually and reasonably incurred by such person in preparing his claim and putting his case before the Collector;
- (2) The Collector may disallow, wholly or in part, costs incurred by any person if he considers that the claim made by such person for compensation is extravagant.

16. *Procedure of Collector on hearing claims for compensation.*—(1) On the date fixed in the notice issued under section 9, the Collector shall cause those persons who are interested in the land to be acquired to appear before him. He shall then prepare two lists, one showing the names of persons present and the other the names of absentees. Unless it appears to the Collector that there is sufficient reason for adjourning proceedings to a later date, the case may be disposed of *ex parte* so far as the absentees are concerned.

(2) *Matters to be enquired into by the Collector before awarding compensation.*—The statement of the persons interested shall then be recorded as to whether they accept the measurements and agree to the rates of compensation proposed for the various

classes of land, for trees, houses, standing crops, if any, and to the apportionment thereof. If a holding or field is jointly owned or is mortgaged, or held by occupancy tenants, or Khatedar tenants, the Collector shall also enquire as to the shares of the compensation to be paid to the several owners, to the mortgagor, and to the owner and the tenant, respectively. He shall also have to decide as to the compensation to be paid to the superior landlord (if any). Where compensation is payable on account of standing crops, the amount of compensation awarded should be the market value of the crops less the amount of land revenue and cesses payable on the land, since under rule 17 the land revenue will be reduced from the harvest during which the land has been taken up.

(3) Where the land to be acquired is agricultural land, the Collector may find out whether the persons interested are prepared to take other land in exchange or to come to any other reasonable arrangement contemplated by sub-sections (3) and (4) of section 31.

17. *Relief in land revenue and date from which it would take effect.*—When any land revenue paying land is acquired under the Act, the land-owner shall be entitled to be relieved of the liability to pay land revenue to the extent of the Government demand upon the said land; and such relief shall have effect from the beginning of the revenue year in which possession of the land is taken.

18. *Collector to ascertain land revenue payable in respect of acquired land.*—In such cases, the Collector shall, before making an award, ascertain, in accordance with the two next following rules, and record, the amount of land revenue which is to be taken as payable in respect of the acquired portion, and shall, in the event of a reference being made to the court, furnish the court, at the time of making the reference, with particulars of the amount of land revenue so ascertained and recorded.

19. *Remission of whole revenue.*—If the land to be acquired be an entire estate assessed with a specific amount of land revenue, the whole of such amount shall be remitted.

20. *Remission of portion of revenue land.*—If the land be a portion of an estate, the amount of land revenue to be deemed payable in respect of the land taken up shall be ascertained under the following rules:—

(1) In the case of estates where lands are assessed at bigha rates, the land revenue to be deemed payable in respect of the revenue paying land taken up shall be calculated on the extent of land (or of each class of land if the land is classified for the purposes of assessment of land revenue) and the sanctioned bigha rate (or sanctioned bigha rates for the different classes under which the land may have been classified for purposes of revenue).

(2) In the case of estates not falling under sub-rule (1) above, the amount of land revenue to be deemed payable in respect of the portion of the land acquired shall bear to the land revenue of the

whole estate the same proportion as the area of the said portion bears to the area of the whole estate.

21. *Land Revenue to be taken into consideration in determining amount of compensation.*—In determining the amount of compensation to be awarded, the Collector shall take into consideration the fact that the land acquired is subject to the burden of the payment of land revenue.

22. *Collector to decide whether land is revenue paying or revenue free.*—When there is any question whether the land to be acquired is part of a land revenue-paying estate or is revenue-free, the Collector shall decide the matter before making his award, leaving it to the claimants to apply for reference to the court if they object to the decision. In case of a reference being applied for, the Collector shall, if he has decided that the land is revenue-free, determine the amount of land revenue which would be payable for it in the event of its being held to belong to the revenue-paying estate of which it is alleged to form a part.

23. *How the award is to be drawn up.*—(1) When all statements have been recorded, the Collector shall draw up, with his own hand, his award, which should state the total area of the various classes of land taken up, the rate and total amount of each class, the total amount of compensation to be paid on account of crops, trees, houses, etc., the proportion of the compensation to be enjoyed by mortgagees and by Khatedar tenants, and decision on any objections that may have been raised by persons interested.

(2) To enable him to calculate accurately the additional compensation to be given under sub-section (2) of section 23 and to keep up fully and clearly his registers of all lands acquired and compensation paid for them, the Collector shall invariably record separately his finding under the first head of sub-section (1) of section 23 which concerns the market value of the land.

(3) The extra 10 per cent awarded under sub-section (2) of section 23 on account of compulsory acquisition should not be included in the rates awarded per acre, but should be added to the total compensation and shown separately.

24. *Announcement of the award.*—The Collector shall then explain his award to the persons present, and those interested in each holding shall be informed of the amount of compensation to which they are entitled. Immediate notice of the award shall also be sent to all persons interested in the land who are not present in court. The notice may be in Form No. 5.

PART G

Rules dealing with the reference to court.

Notes

The sections 18, 19 and 20 of the Act dealing with the reference to the Court are reproduced below:—

(1) The Government department on whose behalf acquisition is being made or any person interested who has not accepted the award or the amendment thereof may, by written application to the Collector, require that the matter be referred by

the Collector for the determination of the Court whether his objection be to the measurement of the land, the amount of the compensation, the amount of costs allowed, the persons to whom it is payable, or the apportionment of the compensation among the persons interested.

(2) The application shall state the grounds on which objection to the award or the amendment thereof is taken.

Provided that every such application shall be made,—

- (a) if the person making it was present or represented before the Collector at the time when he made his award or the amendment thereof, within six weeks from the date of the Collector's award or the amendment thereof, and
- (b) in other cases, within six weeks of the receipt of the notice from the Collector under section 12, sub section (2), or within six months from the date of the Collector's award or the amendment thereof whichever period shall first expire.

(3) Any order made by the Collector on an application made under this section shall be subject to revision by the High Court as if the Collector were a Court subordinate to the High Court within the meaning of section 115 of the Code.

(1) In making the reference, the Collector shall state for the information of the Court, in writing under his hand,—

- (a) the situation and extent of the land, with particulars of any trees, buildings or Standing crops thereon;
- (b) the names of the persons whom he has reason to think interested in such land;
- (c) the amount awarded for damages and paid or tendered under sections 4 and 17. or either of them, and the amount of compensation and of costs, if any, awarded under section 11; and
- (d) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.

(2) To the said statement shall be attached a schedule giving the particulars of the notices served upon, and of the statements in writing made or delivered by, the parties interested respectively.

The court shall thereupon cause a notice specifying the day on which the Court will proceed to determine the objection, and directing their appearance before the Court on that day, to be served on the following persons, namely:—

- (a) the applicant;
- (b) all persons interested in the objection; and
- (c) if the objection is in regard to the area of the land or to the amount of the compensation or costs, the Collector.

25. *Reference under section 19: how made.*—When action is taken under section 19, the Collector should be guided by the following considerations in deciding whether to make a separate reference on account of each holding included in the award, as to which an application has been filed under section 18, or to make a single reference covering several holdings. In any case there must be a separate reference on account of each village. If the persons interested in a number of holdings in the same village object to the award on the same grounds, one reference may be made as to all the holdings; if however, the persons interested in any holding object to the award on grounds which apply only to that holding, then a separate reference must be made as to that holding. Reference to the court should, of course, be made only in the case of persons interested who have objected to the award, the assenting owners being settled with without reference to the court. The provisions

of the Code of Civil Procedure (V of 1908) on the subject of misjoinder of causes of action and of parties should be consulted in this connection.

26. *Departmental officer or company to be informed.*—The Collector shall at once inform the departmental officer or company concerned of any reference to the court made under section 19, and shall forward to him a copy of the grounds on which the objection to the award is taken (section 18 (2)). When a notice is served under clause (c) of section 20, the Collector shall immediately forward a copy to the departmental officer or company.

PART H

Rules dealing with the payment of compensation.

Notes.

The rules 27, 28, 29, and 31 of this part are meant for the enforcement of section 31 of the Act which reads as under:—

(1) On making an award under section 11, the Collector shall tender payment of the compensation and costs, if any, awarded by him to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by some one or more of the contingencies mentioned in the next sub-section.

(2) If they shall not consent to receive it, or if there be no person competent to alienate the land, or if there be any dispute as to the title to receive the compensation or as to the apportionment of it, the Collector shall deposit the amount of compensation and costs, if any, in the Court to which a reference under section 18 would be submitted:

Provided that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount:

Provided also that no person who has received the amount otherwise than under protest shall be entitled to make any application under section 18:

Provided also that nothing herein contained shall affect the liability of any person, who may receive the whole or any part of any compensation or costs awarded under this Act, to pay the same to the person lawfully entitled thereto.

(3) Notwithstanding anything in this section the Collector may, with the sanction of the Government, instead of awarding a money compensation in respect of any land, make an arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land-revenue on other lands held under the same title, or in such other way, as may be equitable, having regard to the interests of the parties concerned.

(4) Nothing in the last foregoing sub-section shall be construed to interfere with or limit the power of the Collector to enter into any arrangement with any person interested in the land and competent to contract in respect thereof.

(5) When a person interested in any land and competent to contract in respect thereof has, at any stage of the proceedings for the acquisition of land stated in writing before the Collector, or, if the proceedings are pending in a Court, before that Court, that he gives up his claim to compensation in respect of the land, he shall be deemed to have received and given a valid discharge for such compensation for the land as would otherwise have been payable to him.

27. *Payment of compensation, when made.*—As soon as the award has been announced, the Collector shall proceed to pay the compensation awarded to those persons who are present and who accept the award. Sufficient notice shall be given to enable all payees to assemble at the place where they will receive their dues, but no time should be wasted in useless endeavours to secure the attendance of absentees. A note shall be made of the names of

those persons who refuse to accept the amount awarded or accept it under protest. As far as possible, payment of compensation should be made at the time of award, as most of the persons interested will then be present.

28. *Summoning of persons interested for receiving payment and further procedure.*—(1) In giving notice of the award under sub-section (2) of section 12. and tendering payment under sub-section (1) of section 31 to such of the persons interested as were not present personally or by their representatives when the award was made the Collector shall require them to appear, personally or by representatives, by a certain date, to receive payment of the compensation awarded to them, intimating also that no interest will be allowed to them, if they fail to appear.

(2) The Collector should, as far as possible, arrange to make the payments due in or near the village to which the land pertains, in order that the number of undisbursed sums to be placed in deposit on account of non-attendance may be reduced to the minimum.

(3) Whenever payment is claimed through a representative such representative must show legal authority for receiving the compensation on behalf of his principal.

(4) If the persons interested do not appear, and do not apply for a reference to the civil court under section 18, the Collector shall, after any further endeavour to secure their attendance or make payment that may seem desirable, cause the amount due to be paid into the Treasury as revenue deposits payable to the persons to whom they are respectively due and vouched for in the form prescribed or approved by Government from time to time. He shall also give notice to the payee of such deposits specifying the Treasury in which the deposits have been made.

29. *Procedure for payment of deposits.*—When the persons concerned ultimately claim payment of sums placed in deposit, the amount will be paid to them in the same manner as ordinary revenue deposits.

30. *Procedure for payment of compensation in cases covered by section 30 or section 35.*—The procedure laid down as to the payment of the compensation money in cases of reference under section 18 shall apply also to references under section 30 or sub-section (5) of section 35. The compensation money or if any of the parties are willing to accept payment of their shares and payment to them is admissible the portion of it which is in dispute and cannot be paid away, shall be deposited in court when the reference is made.

31. *Collector's power to award land in lieu of cash.*—The Collector shall bear in mind the provisions of sub-section (4) of section 31 which empower him to come to any agreement with the parties as to the method of payment; but except in the cases provided for by sub-section (3) of the section, the Collector cannot force a party to take land in lieu of cash. Where, however, the interest of a party is so limited as in the case of a trustee of a waqf property or a Hindu widow, as to make it extremely difficult, if not impossible to arrive at an adequate cash estimate of its value, or where, from the circumstances of the case, it is impossible to place the parties concerned by a cash compensation in the same or nearly the same position as before acquisition, sub-section (3) enables the Collector to arrange to award land (subject to the same limitation of interest) in lieu of cash.

FORM No. 1.

(See Rule 3 (1))

Notification by Government under section 4 of Rajasthan Act XXIV of 1953.

Whereas it appears to the Government of Rajasthan that land is needed or is likely to be needed, for a public purpose, namely, for

it is hereby notified that land in the locality described below is likely to be needed for the other purpose.

2. This notification is made, under section 4 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953), to all whom it may concern.

3. In exercise of the powers conferred by sub-section (2) of the aforesaid section, the Government of Rajasthan is further pleased to authorise the officers for the time being engaged in the above mentioned undertaking, with their servants and workman, to enter upon and survey any land in the locality and do all other acts required or permitted by that sub-section.

Description of Locality

District

Tehsil

Locality

Note.—The description of the locality should be so framed as to indicate, as clearly as practicable, where the land lies in a particular village.

FORM No. 2
(See Rule 3 (3))

Omitted.

FORM No. 3.
(See Rule 8)

*Declaration by Government under section 6 of Rajasthan Act, XXIV
of 1953.*

Whereas it appears to the Government of Rajasthan that land is required to be taken by Government for a public purpose, namely ;

It is hereby declared that the land describe in the specification below is required for the above purpose.

2. This declaration is made under the provisions of section 6 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953), to all whom it may concern and after a consideration of the report of the Collector... .. received under sub-section (2) of section 5-A of the said Act;* and under the provisions of section 7 of the said Act, the Collector of is hereby directed to take order for the acquisition of the said land.

3. Plans of the land may be inspected in the office of the Collector ofdistrict and of the Executive Engineer.....
..... division.....

SPECIFICATION

Khasra Nos.....Village.....

Tehsil..... Khasra Nos. and area in acres.....

Directions and boundaries.

North belonging to..... S/o.....

Caste.....of.....

East..... belonging to..... S/o

Caste.....of

South..... belonging to S/o.....

Caste.....of.....

West..... belonging to..... S/o.....
 Caste.... of

FORM No. 4
 (See Rule 13)

*Notice to persons interested in the land to be acquired under
 Rajasthan Act XXIV of 1953*

Whereas the under-mentioned land is about to be taken up for a public purpose, namely , under notification of the Government of Rajasthan No. dated

*Strike off if no report received from the Collector.
 published in the Rajasthan Gazette dated all persons interested in the said land are hereby called upon to attend personally, or by agent at (place).... . on the date O'clock to state the nature of their respective interest in the land and the amount and particulars of their claims to compensation for such interests

This notice is issued under section 9 of Rajasthan Act, XXIV of 1953.

Boundaries

North	East	Extent
South	West	
Dated....	....	....195 .

FORM No. 5
 (See Rule 24)

*Form of notice under section 12 (2) () and 31 /1 of Rajasthan Act
 XXIV of 1953.*

Notice is hereby given that in the above case, in which you have been treated as a person interested, an award was made by me on the of 195 : under section 11 of Rajasthan Act XXIV of 1953. The sum payable to you is Rs If you are willing to accept it, you should appear before me personally, or by authorised agent, on or before 195 . Interest will not be payable in case of failure to appear.

Dated.....195 .

.....
 (Collector)

Notifications under

RAJASTHAN LAND ACQUISITION ACT, 1953

Published in Raj. Raj-patra Dated March 6, 1954 part 1 at page 1261 :

Jaipur, February 25, 1954

No. 22 (3) Rev. 1/54.—In exercise of the power conferred by clause (c) of section 3, of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer Bakhra Project Hanumangarh to perform the function of a Collector under the said Act within the local limits of his jurisdiction.

BY Order of
His Highness the Rajpramukh,
GULZARI LAL,
Secretary to the Government.

Published in Raj. Raj-patra Dated July 31, 1954 part 1 (a) at page 105 :

Jaipur, July 23, 1954.

No. F. 22 (16) Rev. 1/54.—In exercise of the powers conferred by clause (C) of section 3 of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Jaipur to perform the function of a Collector under the said Act within the local limits of his jurisdiction.

By Order of
His Highness the Rajpramukh,
GULZARI LAL
Secretary to the Government.

Published in Raj. Raj-patra Dated August 14, 1954 part 1 (b) at page 310 :

Jaipur, August 4, 1954.

No. 22 (17) Rev. 1/54.—In exercise of the power conferred under section 3 of the Rajasthan Land Acquisition Act, 1953, the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Jawai River Project, Jodhpur, to perform the functions of a Collector under that Act within the local limits of his jurisdiction.

BY Order of
His Highness the Rajpramukh,
GULZARI LAL
Secretary to the Government

Published in Raj. Raj-patra Dated April 23, 1955 part 1 (a) at page 21 :

(English translation authorised by H.H. the Rajpramukh)

Jaipur, March 20, 1955.

No. F. 22 (2) Rev. A/55/23136.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act 1953 (Rajasthan Act No XXIV of 1953), the Government of Rajasthan is hereby pleased to appoint the L.A.O. Rana Pratap Sagar, Sagar Dam Area, Chambal Project and the L.A.O.

Canal Area, Chambal Project to perform the functions of a Collector under the said Act for purposes of Land Acquisition within their respective jurisdiction.

Jaipur, March 29, 1955.

No. 22 (3) Rev. 1/54.—In exercise of the powers conferred by clause (a) of section 3 of the Rajasthan Land Acquisition Act, 1953, (Rajasthan Act XXIV of 1953), the Government of Rajasthan is pleased to appoint the Deputy Director, of Colonisation posted at Hanumangarh and Nohar to perform the functions of a Collector under the said act within the local limits their respective jurisdiction.

Published in Raj. Raj-patra Dated May 7, 1955 part I (a) at page 45 :

(English translation authorised by His Highness the Rajpramukh)

REVENUE DEPARTMENT

NOTIFICATION

Jaipur, April 20, 1955

No. F. 22 (8) Rev. A/55.—In exercise of the powers conferred by clause (a) of section 3 of the Rajasthan Land Acquisition Act 1953 (Rajasthan Act XXIV of 1953) the Government of Rajasthan is hereby pleased to appoint the Land Acquisition Officer Jodhpur to perform the functions of a Collector under the said Act for the land required for the following projects:—

- (1) Extension of Hemawas Bundh towards Hemawas village.
- (2) Guide Bunds along Bandi Feeder into Hemawas.
- (3) Ora Project—to the extent of the area sub merged.
- (4) Bhula Tank—to the extent of the area sub merged.
- (5) Canal system of Bhula Tank.

By Order of

His Highness the Rajpramukh,

R. N. SHUKLA,

Secretary to the Government.

Published in Raj. Raj-patra Dated May 28, 1955 part I (a) at page 54 :

(English Translation authorised by His Highness the Rajpramukh).

Jaipur, May 14, 1955.

No.D.21711/F. 22 (15) Rev. 1/54.—In exercise of the powers conferred by clause (C) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953) the Government of Rajasthan is hereby pleased to appoint the Additional Collector Jodhpur to perform the functions of a Collector under the said Act for purposes of Land Acquisition within his respective jurisdiction.

By Order of

His Highness the Rajpramukh,

R. N. SHUKLA,

Secretary to the Government.

Published in Raj. Raj-patra Dated December 31, 1955 part I (a) at page 263 :

ENGLISH TRASLATION

[Authorised by His Highness the Rajpramukh.]

REVENUE DEPARTMENT

NOTIFICATION

Jaipur, September 10, 1955.

No. D. 14260/F. 22 (3) Rev. 1/54.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV, 1953). The Government of Rajasthan hereby specially appoint the Deputy Director of Colonisation, Suratgarh Division, with Head Quarters at Hanumangarh by virtue of his office to perform the functions of a Collector under the said Act, within the local limits of his jurisdiction.

By Order of
His Highness the Rajpramukh,
PASHUPATI NATH KAUL,
Secretary to the Government.

Published in Raj. Raj-patra Dated April 21, 1956 part I (a) at page 31 :

ENGLISH TRANSLATION

(Authorised by His Highness the Rajpramukh).

NOTIFICATION

Jaipur, March 14, 1956.

No. F. 22 (8) Rev A /55.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIX of 1953) the Government of Rajasthan is hereby pleased to appoint the Land Acquisition Officer, Jawai River Project Jodhpur to perform the functions of a Collector under the said Act for the lands required for the following projects.

1 Sheoganj—	Sirohi	Ora Project.
2 Jaitaran.—	Pali	Girinanda.
3 Jalore—	Jalore	Bankli Bundh.
4 Pindwara—	"	Jubilee Tank.
5 Sheoganj—	"	Sukri Innundation Project.
6 Sirohi—	"	Maila Goad Project.
7 Sirohi—	"	Tonk Irrigation Project.
8 Jaswantpur—	"	Ram seen.
9 Bhinmal—	"	Sagi
10 Sirohi—	Sirohi	West Banas Irrigation Project.
11 Pindwara	"	Kalumbhari Project.
12 Sirohi	"	Sukli Rihar Innundation Project.
13 Bhinmal —	Jalore	Bundi Innundation Project.
14 Badesar—	Sirohi	Dehpura -do-
15 Jalore—	Jalore	Khari -do-

By Order of
His Highness the Rajpramukh,
P. N. KAUL,
Secretary to the Government.

*Published in Raj. Raj-patra Dated November 22, 1956 part IV (c) at page 643 :
Jaipur, September 7, 1956.*

No. 9903/F. 22 (2) Rev./A/55.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIX of 1953) the Government of Rajasthan hereby specially appoint the Deputy Director of Colonisation, Suratgarh Division, with Head Quarters at Hanumangarh by virtue of his office to perform the functions of a Collector under the said Act, within the local limits of his jurisdiction.

sition Act, 1953 (Rajasthan Act No. XXIV of 1953) the Government of Rajasthan has been pleased to appoint the Land Acquisition Officer Rana Pratap Sagar Dam headquarters at Kota to perform the functions of a Collector under the said Act within the Right Main Canal area in addition to the powers already conferred upon him vide Government notification No. F. 22 (2) Rev./A/55/23136, dated 29-3-56.

Published in Raj. Raj-patra Dated July 23, 1957 part IV (c) at page 254 :

Public Works Department

NOTIFICATION

Jaipur, June 25, 1957.

No. D. 2572/ P.W./I/57.—In exercise of powers conferred by sub-section (C) of section 3 of Rajasthan Land Acquisition Act, 1953, the Governor is pleased to appoint the Sub-Divisional Officer, Kishangarh to perform the functions of Collector under the said Act.

By Order,

Z. S. JHALA,

Secretary to the Government.

Published in Raj. Raj-patra Dated June 5, 1958 part IV (c) at page 341 :

IRRIGATION DEPARTMENT

NOTIFICATION

Jaipur, February 20, 1958.

No. F. 6 (59) Irr /57.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act No. XXIV of 1953) the Government of Rajasthan is pleased to appoint the Land Acquisition Officer, Rana Pratap Sagar Dam, headquartered at Kotah, to perform the functions of a Collector under the said Act, so far as to award of compensation in 65 villages of Bhainsrodgarh Tehsil, District Chittorgarh (List attached) is concerned.

By Order of the Governor,

BALWANT SINGH,

Secretary to the Government.

Tehsil Bhainsrodgarh of Chittorgarh District.

1. Matasara.
2. Coyat.
3. Aranya (Mafi).
4. Khedli.
5. Modi.
6. Ratauli.
7. Manoli.
8. Antaralia.
9. Naya gaon.
10. Prem Pura.
11. Khangar Pura.
12. Jaswant Pura.

13. Muwada.
14. Kuwakhera.
15. Jhinkara.
16. Narain Pura.
17. Doongaria.
18. Talar.
19. Thah-Ka-Khera.
20. Neemari.
21. Barkhera.
22. Kethoola.
23. Kanti.
24. Devpura.
25. Kerpura.
26. Kanwar Pura (Uthen).
27. Neem-Ka-Khera.
28. Ruop pura.
29. Amlat.
30. Chak-Bawari-Kamal.
31. Kherat.
32. Anand pura.
33. Rampuria.
34. Chhatar pura.
35. Dabar Bans.
36. Latoor.
37. Govind pura.
38. Ganga-Ka-Khera.
39. Bala Ganj.
40. Megpura.
41. Pipal Kheri.
42. Malgarh.
43. Bakhari.
44. Awal hera.
45. Chittoria.
46. Sarang pura.
47. Tora-Ka-Khera.
48. Kesho-Ka-Khera.
49. Barban.
50. Main pura.
51. Kanwar pura.
52. Raipura.
53. Dootara.
54. Rosi.
55. Motipura.
56. Pipalda.
57. Amerpura.
58. Gopal pura.
59. Vandha.
60. Arniya (Khalsa).

61. Bawari-Khera.
62. Charmi.
63. Aemati.
64. Kundalia.
65. Rawat-Bhata.

Published in Raj. Raj-patra Dated November 27, 1957 part IV (c) at page 1227 :

Irrigation, Colonisation & Mandies Department

NOTIFICATION

Jaipur, November 9, 1958.

No. F. 6 (54) Rev. /B/ 58/Irg.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act XXIV of 1953), the Government of Rajasthan is pleased to appoint the Deputy Colonisation Officer, Rajasthan Canal Project, Suratgarh to perform the functions of a Collector under the said Act within the limits of his jurisdiction.

By Order of the Governor,

— Z. S. JHALA,

Secretary to the Government.

Notifications under.

RAJASTHAN LAND ACQUISITION ACT, 1953.

Published in Raj. Raj-patra part IV (c) dated July 30, 1959 at page 409

Irrigation, colonisation & Mandies Department

NOTIFICATION

Jaipur, June 4, 1959.

No. D. 4488/F. 7 (30) Irg/59.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act No. XXIV of 1953) and in modification of the previous orders on the subject, the Government of Rajasthan hereby appoints the Dy. Director of Colonisation, Rajasthan Canal Project to perform the functions of a Collector under the aforesaid Act within the districts of Ganganagar, Bikaner and Jaisalmer.

By Order of the Governor,
GOVERDHAN SINGH,
Secretary to the Government.

Published in Raj. Raj-patra part I (b) dated September 24, 1959 at page 310

Irrigation Colonisation and mandies Department

NOTIFICATION

Jaipur, August 14, 1959.

No. D. 6645/F. 7 (66) Irg./59.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act No. XXIV of 1953), the Government of Rajasthan hereby appoints the Secretary, Bhakra Mandi Development Committee, Hanumangarh to perform the functions of a Collector under the aforesaid Act, within the area of Rajasthan Canal Feeder in Hanumangarh Tehsil.

Notifications under

Rajasthan Land Acquisition Act, 1953

Published in Raj. Raj-patra part IV (c) dated April 26, 1962 at page 98.

Jaipur, February 7, 1962.

No. F. 4 (2) RCPD/61-II.—In exercise of the powers conferred by clause (C) of Section 3 of the Rajasthan Land Acquisition Act, 1953 (Act No. XXIV of 1953) and in partial modification of this Department Notification No. F. 4 (2) R C P D/61 dated the 1st June, 1961, the State Government hereby appoints all the Assistant Colonisation Commissioners, Rajasthan Canal Project to perform the functions of Collector under the said Act, within the Districts of Ganganagar, Bikaner and Jaisalmer, in connection with the working of the Rajasthan Canal Project.

Notification under

RAJASTHAN LAND ACQUISITION ACT, 1953

Revenue (B) Department

NOTIFICATION

Jaipur, November 28, 1962.

No. F. 1 (27) Rev. B/62.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Act No. XXIV of 1953) the State Government hereby appoints all the Sub-Divisional Officers, appointed as Land Acquisition Officers vide Government order of even number and date, to perform the functions of Collector under the said Act within their respective jurisdictions.

By Order,

S. D. GUPTA,

Deputy Secretary to the Government.

Notification No. F. (27) Rev./B/62.—In exercise of the powers conferred by clause (c) of section 3 of the Rajasthan Land Acquisition Act, 1953 (Rajasthan Act 24 of 1953) the State Government hereby makes the following amendment in this Department notification No. F. I (27) Rev-B/62 dated the 28 November, 1962 published in Rajasthan Gazette Part IV (c) dated the 3rd January, 1963 namely:—

AMENDMENT

In the said Notification between the words "Sub-Divisional Officers" and "appointed" the words 'except' Sub-Divisional Officers Jaipur shall be inserted.

Revenue (B) Department. Notification dt. 3-3--64 [Pub. in Raj, Ex. Gaz. Part 4 (Ga) Dt. 2-4-64.

Rules and Notifications under

LAND REVENUE ACT, 1956. THE RAJASTHAN
(15 OF 1956).

RAJASTHAN REVENUE COURTS MANUAL PART I.

Notes

The Board of Revenue is authorised under section 261 (1) of the Rajasthan Land Revenue Act, 1956 to make rules for—

- (a) regulating the procedure of the Board and its officers in the transaction of its business,
- (b) prescribing the registers, books and accounts to be kept and maintained under section 14,
- (c) regulating the costs which may be recovered in or in respect of any judicial or settlement proceeding under this Act other than costs recoverable by the State Government in proceedings in partition cases,
- (d) regulating the procedure to be followed by any court, officer or other person required or empowered under any provision of this Act to take any action in any judicial or settlement matter,
- (e) for carrying out the provisions of this Act in respect of judicial and settlement proceedings, and
- (f) for the guidance of all courts, officers and other persons in all judicial and settlement proceedings under this Act.

These rules have been framed in exercise of the powers so conferred after the previous approval of the Government as required under Sub-section (1) of section 261.

CHAPTER I

Preliminary.

1. *Introductory*.—The rules contained in the two volumes of this Manual have been made by the Board of Revenue for Rajasthan, with previous approval of the Government of Rajasthan, in exercise of the powers conferred by section 261 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956).

2. *Short title and commencement*.—These rules may be cited as the Rajasthan Revenue Courts Manual, Volume I or Volume II, 1956.

They shall come into force on the date of their publication in the Rajasthan Gazette. Rules 1, 2 and 3 in Chapter I of Volume I shall apply to all the Courts in Rajasthan. All other rules of Volume I shall apply to proceedings and matters in the Board of Revenue; and all rules of Volume II shall apply to proceedings and matters in all Courts subordinate to the Board of Revenue commenced on or subsequent to that date and, so far as may, also be applied to proceedings and matters pending on that date.

3. *Interpretation*.—In these rules unless the context otherwise requires:—

'BOARD' means Board of Revenue for Rajasthan and includes the Chief Controlling Revenue Authority specified in any enactment for the time being in force.

'BENCH' includes a Member sitting singly.

'CHAIRMAN' means the Chairman, Board of Revenue for Rajasthan and includes in his absence from the station, the Member authorised to act on his behalf.

'CODE' means the Code of Civil Procedure, 1908 and reference to orders of the Code means reference to an order of the First Schedule thereto.

'COURT' shall mean a revenue court or an Officer having jurisdiction to entertain suits or other proceedings relating to agricultural tenancies, profits and other matters connected with land or any right or interest in land, wherein such court or officer is required to act judicially; it shall include the Board and every Member thereof, a Commissioner, a Collector, a Sub-Divisional Officer, an Assistant Collector, a Tehsildar or any other Revenue Officer while so acting, under the provisions of any law for the time being in force.

'JUDGMENT-WRITER' means an officer of the Board appointed to take down notes of judgments or orders pronounced by the Board and includes any person who may for the time being be authorised or directed by the Board to take down judgment or order pronounced by it.

'MEMBER' means a Member of the Board of Revenue for Rajasthan.

'MINISTERIAL OFFICER' means any non-gazetted officer employed in the office of the Board.

'NOTICE' includes Summons.

'PRESCRIBED' means prescribed by or under these Rules.

'REGISTERED ADDRESS' means the last address within the local limits of the territorial jurisdiction of the Court filed by a party in Court below, at which service of notice, summons or other process may be made on him;

'REGISTRAR' means any person appointed under section 10 of the Rajasthan Board of Revenue Ordinance, 1949 and includes any other officer with respect to such functions and duties of the Registrar as may have been assigned to such officer by the chairman and in the absence of the Registrar, the Deputy Registrar or any other Officer authorised to act on his behalf.

'SEALED' means sealed with the Seal of the Court.

'STATE' means the State of Rajasthan.

General Clauses Act, 1897 shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

CHAPTER II

The Constitution and Jurisdiction of the Board.

Notes

Rules under this chapter have been framed to put into effect the provisions of chapter II of the Rajasthan Land Revenue Act.

4. *Constitution.*—The Board consists of a Chairman and such member or other members as the Rajpramukh may, from time to time, determine and appoint.

5. *Distribution of Business or territorial divisions.*—The Chairman may distribute the business of the Board and make such territorial or other divisions of its jurisdiction as he may deem fit.

6. *Jurisdiction how exercised.*—The jurisdiction of the Board may be exercised—

(a) by the Chairman or any other member of the Board, sitting singly, or

(b) by a Bench of the Board, consisting of two or more members.

7. *Act or order of the Board.*—Every order made or act done in accordance with the distribution or division made in the preceding rule shall be deemed to be the order or act, as the case may be, of the Board.

8. *Class of cases heard by a Member sitting singly.*—The following class of cases may be heard and disposed of by a member sitting singly:—

- (i) Miscellaneous applications;
- (ii) applications for setting aside an order of dismissal for default by the Board or an ex-parte decision given by the Board;
- (iii) applications for review of the orders and judgment passed by a single member of the Board;
- (iv) references;
- (v) applications for transfer of cases.

9. *Class of cases heard by a Division Bench.*—The following class of cases shall be heard and disposed of by a Division Bench:—

- (i) all decrees or orders coming under the consideration of the Board on appeal;
- (ii) revisions when the lower-courts' decree or order is to be modified or reversed;
- (iii) if in any case heard by a single member, any question of law or custom having a force of law or of the construction of any document is referred to a Bench for decision.

When a case is heard by a Bench of the Board, the decision of such case shall be in accordance with the opinion of the majority of the members.

10. *Procedure in case of difference of opinion.*—In the event of a difference of opinion between two members constituting a Bench, the differing opinions shall be submitted in the form of opinions on the case to a third member nominated by the Chairman who shall hear and dispose of the case finally. Copies of the opinions will be supplied to counsel for the parties before the final hearing of the case.

Notes

The rules 5, 6, 7, 8, 9, and 10 have been framed with a view to meet the requirements of section 10 of the Act which reads as under—(1) Except as otherwise provided by or under this Act or by any other law or enactment for the time being in force in the whole or any part of Rajasthan and subject to any rules made in that behalf, the jurisdiction of the Board may be exercised—

- (a) by the Chairman or any other member of the Board, sitting singly, or
- (b) by a Bench of the Board, consisting of two or more members:

Provided that a party aggrieved by a decision of a single member shall have the right to make a special appeal to a bench consisting of two or more members of the Board within one month from the date of the decision of the single member.

(2) Subject to any rules made in that behalf, the Chairman may distribute the business of the Board and make such territorial or other divisions of its jurisdiction as he may deem fit.

(3) Every order made or act done under sub-section (1) or in accordance with the distribution or division made under sub-section (2), shall be deemed to be the order or act, as the case may be, of the Board.

11. *Place of sitting.*—The Headquarters of the Board of Revenue shall be at Jaipur, but, subject to the general or special orders of the Government, it shall be lawful for the Board to sit at any place within its jurisdiction.

Notes

The headquarters of the Board of Revenue have subsequently been shifted to Ajmer. Notification of the State Government in this regard has been printed separately with this part.

CHAPTER III.

Powers and duties of the Registrar.

Notes

The rules in this chapter have been framed in pursuance of powers given under section 7 of the Act. Section 7 reads—(1) There may be appointed for the Board a Registrar and such other ministerial officers as may be necessary for the exercise and performance of the powers conferred and duties imposed on it by this Act or by or under any other enactment, rule or order for the time being in force.

(2) The Registrar and other officers appointed under sub-section (1) shall, subject to the general or special orders of the State Government, exercise such powers and discharge such functions as the Board may direct.

12. The following shall be the functions, powers, and duties of the Registrar in relation to the court work of the Board:—

1. To dispose of all matters relating to the issue and service of notices and other processes including the signing and issuing of warrants;

2. To allow the removal of formal defects in any memorandum of appeal or objection, petition or application;

3. To admit, issue necessary orders in and dispose of uncontested applications made:—

(a) to bring on record the legal representatives of the deceased parties provided that no question of abatement or limitation arises, or

(b) to record the assignment, creation or devolution of any interest during the pendency of a case, or

(c) for appointment or removal of a next friend or guardian *ad litem* including fees and expenses of the next friend or guardian;

4. to deal with matters relating to payments of expenses and allowances to witnesses;

5. to receive appeals and applications for revision and review;

6. to send decrees and orders passed by the Board to other courts for execution;

7. to verify a compromise or record the statement on oath of any person under the orders of the Board;

8. to extend the time for the submission of findings by the court below in a case in which issues have been referred to trial for that court;

9. to dispense with copies of judgments where such copies have been filed in at least one connected appeal or revision;

10. to deal with all matters connected with the progress of a case subject to such orders as the Board may pass from time to time;

11. to receive and verify affidavits and the grounds for filing the same;

12. to direct that any matter be laid before the Board;

13. to admit a memorandum of appeal from the decree or order of a Subordinate Revenue Court and determine whether notice shall be issued at once to the other party or the appeal shall be put for hearing;

14. to do such other act as may be directed by the Board.

13. *Deputy Registrar to work in the absence of the Registrar.*—

In the absence of the Registrar, the Deputy Registrar shall exercise the functions and duties of the Registrar.

CHAPTER IV.

Appeals and Applications.

Notes

Clause (a) of sub-section (1) of section 261 authorises the Board to frame rules for regulating the procedure of the Board and its officers in the transaction of its business. Chapter V of the Rajasthan Land Revenue Act contains provisions for the powers of the Board with regard to, "APPEAL REFERENCE, REVISION and REVIEW". Section 75 (1) (g) of the Act provides that a first appeal shall lie to the Board from an original decree or order passed by the Commissioner of the Division or the Settlement Commissioner or the Director of Land Records. Section 76 (1) (d) provides that an appeal shall lie from a decree passed in appeal by the Commissioner of the Division or the Settlement Commissioner or the Director of Land Records to the Board. Section 82 of the Act provides for the powers of the

Board on a reference by a Commissioner or the Settlement Commissioner or the Director of Land Records. Section 84 of the Act authorises the Board to call for records and revise orders. The power of review by the Board is contained in section 86 of the Act. The Rules in this Chapter prescribe the procedure to be followed for the purposes of powers as referred above.

14. *General heading of memorandum of appeals or applications.*—Every memorandum of appeal or objection and every application for revision or review and all other applications other than an application made in any case pending in the Board, shall be in the language of the Court fairly and legibly written or type written provided with quarter margin on one side only on the Government water marked paper and shall bear the general heading “In the Board of Revenue for Rajasthan” and shall have written immediately below the heading the following:—

(a) *In the case of a Memorandum of appeal or application for review or revision.*—The description such as “first appeal, “second appeal” or “application for review”, “application for revision”, as the case may be followed by the Section, and the Act or by the Rule under which it is filed and the words” No. of (Year)and

(b) *In the case of other applications.*—Revenue Miscellaneous case No. of Year followed by the Section, Act or Rule under which it is filed:

Provided that the Board may when considered necessary permit any other paper of foolscap size or both the sides of the paper to be used for the purpose.

15. *General heading of application in a pending case.*—Every application made in a case pending in the Board shall have written on it immediately below the heading the following namely:—

Revenue Miscellaneous application No.....of
.....in.....(here state the particulars of the pending case).

16. *Contents of memorandum of appeal or application for review or revision.*—Every memorandum of appeal or application for review or revision shall state:—

(a) the name with parentage and address of the appellant or applicant and whether he was plaintiff or defendant or applicant or opposite party in the court of first instance;

(b) the name with parentage and address of each person whom it is proposed to join as respondents or opposite-party and whether he was plaintiff, defendant applicant or appellant or opposite party in the court of first instance;

(c) the name of the court by which and the name of the presiding officer by whom the decree or order objected to was made;

(d) the number and description of the case;

(e) the date when such order or decree was made;

(f) the grounds of objections to such decree or order;

(g) the precise relief sought;

(h) value for the purpose of jurisdiction and court fees.

17. *Documents to accompany memorandum of appeal or revision application.*—Every memorandum of appeal or application for revision shall be accompanied by—

(a) a copy of the decree or order against which the appeal or application is directed;

(b) a copy of the judgment upon which such decree or order is founded;

(c) a copy of the judgment of the court of first instance when the appeal or application is directed against an appellate order or decree;

(d) in the case of memorandum of appeal which is filed after the expiry of the period of limitation an application supported by an affidavit for extension of the period of limitation under section 5 of the Indian Limitation Act:

Provided that the Court may for sufficient cause shown dispense with a copy of the formal order under clause (a) or a copy of the judgment under clause (b) or (c)

Notes

The provisions of clauses (a) (b) and (c) of rule 17 are meant to put into effect the requirements of Section 79 of the Act.

The clause (d) of above rule provides for the application of section 5 of the Indian Limitation Act,"

Any appeal or application for a review of judgment or for leave to appeal or any other application to which this section may be made applicable by or under any enactment for the time being in force may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not preferring the appeal or making the application within such period.

18. *Memorandum of appeal or objection or application to be accompanied by copies thereof.*—Every memorandum of appeal or objection and every application shall be accompanied by as many typed copies thereof as there may be parties to be served.

It shall be deemed to be sufficient compliance with this rule if the person presenting the memorandum or application gives a written undertaking to supply the necessary copies within three days of its admission.

19. *Penalty for non-compliance.*—If the requisite copies are not supplied within such time or within such further time as may on sufficient cause being shown be allowed by the Registrar the memorandum or the application shall be listed for rejection before the Board.

No order shall issue from the Board on such memorandum or application until the required copies have been supplied.

20. *Affidavits to accompany certain applications.*—The following applications shall be accompanied by a affidavit setting out in the form of a narrative the material facts and the circumstances including names and dates where necessary on which the applicant relies; namely:—

Board on a reference by a Commissioner or the Settlement Commissioner or the Director of Land Records. Section 84 of the Act authorises the Board to call for records and revise orders. The power of review by the Board is contained in section 86 of the Act. The Rules in this Chapter prescribe the procedure to be followed for the purposes of powers as referred above.

14. *General heading of memorandum of appeals or applications.*—Every memorandum of appeal or objection and every application for revision or review and all other applications other than an application made in any case pending in the Board, shall be in the language of the Court fairly and legibly written or type written provided with quarter margin on one side only on the Government water marked paper and shall bear the general heading “In the Board of Revenue for Rajasthan” and shall have written immediately below the heading the following:—

(a) *In the case of a Memorandum of appeal or application for review or revision.*—The description such as “first appeal”, “second appeal” or “application for review”, “application for revision”, as the case may be followed by the Section, and the Act or by the Rule under which it is filed and the words” No. of (Year) and

(b) *In the case of other applications.*—Revenue Miscellaneous case No. of Year followed by the Section, Act or Rule under which it is filed:

Provided that the Board may when considered necessary permit any other paper of foolscap size or both the sides of the paper to be used for the purpose.

15. *General heading of application in a pending case.*—Every application made in a case pending in the Board shall have written on it immediately below the heading the following namely:—

Revenue Miscellaneous application No.....of
.....in.....(here state the particulars of the pending case).

16. *Contents of memorandum of appeal or application for review or revision.*—Every memorandum of appeal or application for review or revision shall state:—

(a) the name with parentage and address of the appellant or applicant and whether he was plaintiff or defendant or applicant or opposite party in the court of first instance;

(b) the name with parentage and address of each person whom it is proposed to join as respondents or opposite-party and whether he was plaintiff, defendant applicant or appellant or opposite party in the court of first instance;

(c) the name of the court by which and the name of the presiding officer by whom the decree or order objected to was made;

(d) the number and description of the case;

(e) the date when such order or decree was made;

(f) the grounds of objections to such decree or order;

(g) the precise relief sought;

(h) value for the purpose of jurisdiction and court fees.

17. *Documents to accompany memorandum of appeal or revision application.*—Every memorandum of appeal or application for revision shall be accompanied by—

(a) a copy of the decree or order against which the appeal or application is directed;

(b) a copy of the judgment upon which such decree or order is founded;

(c) a copy of the judgment of the court of first instance when the appeal or application is directed against an appellate order or decree;

(d) in the case of memorandum of appeal which is filed after the expiry of the period of limitation an application supported by an affidavit for extension of the period of limitation under section 5 of the Indian Limitation Act:

Provided that the Court may for sufficient cause shown dispense with a copy of the formal order under clause (a) or a copy of the judgment under clause (b) or (c)

Notes

11

The provisions of clauses (a) (b) and (c) of rule 17 are meant to put into effect the requirements of Section 79 of the Act.

The clause (d) of above rule provides for the application of section 5 of the Indian Limitation Act."

Any appeal or application for a review of judgment or for leave to appeal or any other application to which this section may be made applicable by or under any enactment for the time being in force may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not preferring the appeal or making the application within such period.

18. *Memorandum of appeal or objection or application to be accompanied by copies thereof.*—Every memorandum of appeal or objection and every application shall be accompanied by as many typed copies thereof as there may be parties to be served.

It shall be deemed to be sufficient compliance with this rule if the person presenting the memorandum or application gives a written undertaking to supply the necessary copies within three days of its admission.

19. *Penalty for non-compliance.*—If the requisite copies are not supplied within such time or within such further time as may on sufficient cause being shown be allowed by the Registrar the memorandum or the application shall be listed for rejection before the Board.

No order shall issue from the Board on such memorandum or application until the required copies have been supplied.

20. *Affidavits to accompany certain applications.*—The following applications shall be accompanied by a affidavit setting out in the form of a narrative the material facts and the circumstances including names and dates where necessary on which the applicant relies; namely:—

(1) An application for review made on the ground of discovery of new and important matter or evidence or any other sufficient reason;

(2) An application for stay of execution proceedings;

(3) An application for the vacating of an order for stay;

(4) An application for attachment before judgment or injunction;

(5) An application for appointment or discharge of a receiver;

(6) An application for re-admission or restoration of an appeal or application dismissed for default of appearance or for want of execution, or for the setting aside of an ex-parte decree;

(7) An application for substitution of parties or for a note to be made in the record when the legal representative of the party is on the record or when a party has died without leaving any legal representatives;

(8) Application for transfer of a case;

(9) Application for appointment of a guardian *ad litem* or next friend;

(10) Application by way of complaint against a legal practitioner or Revenue Agent;

(11) Application under section 5 of the Limitation Act;

(12) An application for setting aside of an order of abatement;

(13) Any other application stating out facts on the basis of which an order is sought;

(14) Or any other application which is required by these rules or any other law to be supported by an affidavit.

The Board or the Registrar may call for an affidavit in any other matter coming before it or him.

21. *Prayer for an order of inter-locutory nature.*—A prayer for stay of execution or proceedings or for the vacating of an order staying execution or for admitting evidence or for any other order of an inter-locutory nature shall not be contained in the memorandum of appeal or the application for revision to which it relates and shall be made by a separate application.

22. *Full description of the parties.*—Every person presenting an application or arrayed as an opposite-party therein shall be described by such particulars as will ensure his clear identity such as his full name, his father's name, his religious persuasion, his rank or degree in life, occupation or trade and his true place of residence with correct residential address.

23. *Application to be divided into paragraphs.*—Every application containing a statement of facts shall be divided into paragraphs which shall be numbered consecutively. Each paragraph shall as nearly as may be, be confined to a distinct part of the subject.

24. *Certain grounds of appeal to be certified.*—If one of the grounds of appeal or revision be that there is no evidence or admission on the record to support the decree the fact shall be mentioned in the memorandum which shall also state the material finding or findings in support of which there is no evidence or admission on the record. Such ground shall not be allowed to be urged unless the Advocate, Pleader or Revenue Agent for the appellant or applicant has certified in his hand before the hearing of the appeal that he has examined the record and that the ground is well founded.

25. *Affidavit in reply.*—Any person opposing the grant of an application or showing cause against a rule may bring before the Board any facts or circumstances not contained in the application or affidavit of the other party, by an affidavit containing in the form of a narrative the material circumstances on which he relies.

26. *Affidavit in review application.*—The affidavit accompanying an application for review on the ground of the discovery of new and important matter or evidence shall be made by the applicant himself, stating in clear terms what such new or important matter or evidence is, the effect or purport thereof, how the same, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made and how and when he came to know of it or became able to produce it.

27. *Affidavit in an application for stay.*—The affidavit accompanying an application for stay of execution of or proceedings under a decree or order shall contain such of the following particulars as may be material to such application, namely:—

- (a) the date of the decree or order;
- (b) the particulars and nature of the suit to which proceedings relate and the court to which the stay order is to be communicated;
- (c) the date of the order for sale, if any;
- (d) the date fixed for the sale, if any;
- (e) the grounds upon which the stay is sought; and
- (f) where stay is sought in accordance with rule 5 (i) of Order XLI of the Civil Procedure Code, 1908, the facts necessary to satisfy the Board as to the matters mentioned in sub-rule (3) of that rule.

Notes.

The power of stay as referred to in this rule is contained in section 81 of the Act. Section 81 giving this power of stay to the Board provides that—(1) If an appeal is admitted, the appellate authority may, pending the result of the appeal, direct the execution of the order appealed from to be stayed,

(2) A revenue court or officer passing any order may direct the execution of such order to be stayed at any time before the expiry of the period prescribed for appeal, if no appeal has been filed.

(3) If execution of any order is stayed under sub-section (1) or sub-section (2), such security may be taken or conditions imposed as the appellate authority or the revenue court or officer thinks fit.

Clause (f) of this rule makes the provision of rule 5 (1) of Order XLI of the Civil Procedure Code applicable in cases of Stay. This provision of Civil Procedure Code reads as under:—

(1) An appeal shall not operate as a stay of proceeding under a decree or order appealed from except so far as the Appellate Court may order, nor shall execution of a decree be stayed by reason only of an appeal having been preferred from the decree; but the Appellate Court may for sufficient cause order stay of execution of such decree.

28. *Advocates Certificates as to sufficiency of court fee.*—

Where an application for stay of execution of, or proceedings under a decree is presented through an Advocate, Pleader or Revenue Agent before the admission of the appeal in which the application is made, it shall also bear a certificate of such Advocate, Pleader or Revenue Agent stating that to the best of his knowledge and belief the full Court fee payable on the memorandum of appeal has been paid.

29. *Affidavit in application for re-admission or the setting aside an ex-parte decree.*—(i) The affidavit accompanying an application for the re-admission of an appeal or application dismissed for default of appearance, shall state the circumstances in which such default was made, and whether or not the party concerned had previous to such dismissal, engaged an Advocate, Pleader or Revenue Agent to conduct such appeal or application. If an Advocate, Pleader or Revenue Agent had been so engaged, the affidavit shall further state, on the personal knowledge of the deponent and not merely on his information and belief, the name of such Advocate, Pleader or Revenue Agent the date when he was engaged, the amount of fee agreed to be paid and whether full fee had been paid to him before the date of such dismissal.

(ii) The provisions contained in sub-rule (1) shall with necessary adaptations and modifications apply to an affidavit accompanying an application for the setting aside of an ex-parte decree or order.

Notes

Section 63 of the Act empowers a Court or Officers to hear and determine a case or proceeding in the absence of the parties or to dismiss in default. Sub-section (ii) of section 65 of the Act provides for reversal of the order under section 63. This rule requires that an application made under sub-section (ii) of section 65 should be accompanied by the affidavit.

30. *Affidavit in application for substitution.*—The Affidavit accompanying an application to bring on record the legal representatives of a deceased party shall state the precise date of the death of the party concerned.

31. *Affidavit in application for appointment of a guardian or next friend.*—The affidavit accompanying an application for the appointment of a guardian *ad litem* or next friend of a minor shall state—

(a) whether or not the minor has a guardian appointed under the Guardian and Wards Acts, or under any other law for the time being, and if so, his name and address;

(b) the name and address of the father or other natural guardian of the minor;

(c) the name and address of the person in whose care the minor is living;

(d) how the person sought to be appointed guardian or next friend is related to the minor;

(e) that the person sought to be appointed guardian or next friend has no interest in the matters in controversy in the case adverse to that of the minor and that he is a fit person to be so appointed, and

(f) whether the minor is less than ten years of age.

(2) The provisions contained in sub-rule (1) shall apply *mutatis mutandis* to an affidavit accompanying an application for appointment of a guardian *ad litem* or next friend of a person of unsound mind.

32. *Defective application of Memorandum of appeal for objection may not be received.*—(i) No application or memorandum of appeal or objection shall be received if it is not in the proper form and is not accompanied by the necessary documents.

Provided that the Registrar may receive it and for sufficient cause shown, grant such time as he may consider proper for supplying such documents or removing such defects; and

Provided further that nothing done under the first proviso shall have the effect of extending the period of limitation in the case of a memorandum of appeal where the copy of the judgment or decree or formal order is not filed within the prescribed time.

(ii) If the required documents are not supplied or the defects are not removed within the time allowed by the Registrar, the application or memorandum of appeal shall be listed for rejection before the Board.

33. *Certain copies not to be returned.*—No copy of a judgment, decree or formal order accompanying a memorandum of appeal or application for revision shall be returned unless such memo or application itself is ordered to be returned.

34. *Time of receipt of petitions.*—Applications and petitions shall be taken at regular hours to be fixed by the Registrar or the Divisional Commissioner, as the case may be. Intimation of the hours fixed shall be duly notified.

35. *Mode of presenting applications.*—Except as provided otherwise every appeal or application to the Board shall be presented by the party in person, his recognised agent, or his advocate, pleader, vakil or revenue agent; it shall not be received from any other persons not through the post. The name of the person who presents the application as well as the date shall be written on it.

36. *Presentation of appeal or application.*—(i) Every appeal or application to the Board of Revenue shall, unless the Board by special orders in any case otherwise direct be presented to the Registrar or in the office of Divisional Commissioner.

(ii) *When presented to the Registrar.*—Every appeal or application presented to the Registrar shall be immediately examined by a responsible official of the Board's office, a report being recorded whether the appeal or application is in due form, is stamped to the full extent of the court fees required, and is accompanied by copies of the orders or decrees of and all judgments passed by all the courts subordinate to the Board and whether it is within time or not. Any defect noticed in it shall be pointed out at the time of presentation to the appellant or to the applicant or his counsel or duly authorised agent presenting it and a date shall be fixed within which such defects shall be remedied. The signature of the appellant or applicant or his counsel or duly authorised agent shall, at the time, be taken in token of receipt of notice of this preliminary office report.

(iii) *When presented through a Divisional Commissioner.*—Every appeal or application presented in the office of the Divisional Commissioner shall be immediately examined and a not recorded whether the appeal or applications is in due form, is stamped to the full extent of the court fees required, and accompanied by copies of the orders or decrees of and all the judgments passed by all the courts subordinate to the Board and whether it is within time or not. All defects ascertained shall be pointed out to the person filing the appeal or application. The appeal or application shall then be forwarded without delay to the Registrar of the Board at Jaipur.

37. *Remedying of defects of appeals or applications.*—If any appeal or application is found to be defective or requires correction, action to remove the defects will be taken and a reasonable time for this will be allowed, to the appellant or applicant as the case may be and his initials taken in token of his having been informed of such defect.

38. *Time for filing objections to office reports.*—If the office report is contested, the appellant or the applicant or his counsel or his duly authorised Agent shall file his objections within seven days and the objection along with the report shall be listed immediately before the Registrar. If the Registrar allows the objection, he shall proceed to deal with such appeal or application as if it has been reported to be in order. If the office report is not contested or no objection is filed within the aforesaid period, or if an objection is filed and rejected by the Registrar, the defect shall be removed within two weeks from the date on which the report was shown or on which the objection was rejected as the case may be or within such further time as the Registrar may allow. If such defect is not removed within time, the memorandum shall be listed for rejection before the Board and shall be rejected unless the Board on a written application supported by an affidavit deems fit to grant further time for the removal of such defect:

Provided that no order passed under the provisions of this rule shall be deemed to extend the period of limitation.

39. *Registration of appeal or application.*—If the memorandum of appeal or application for review or revision is found in order or the defects if any are removed it shall be admitted and ordered to be registered in a register prescribed therefor. Intimation of the date shall be given to the party or his counsel and his signature obtained on the order sheet. Order for the issue of notices to the parties and calling for record shall also be recorded on the order sheet.

CHAPTER V

SERVICE OF NOTICE AND SUMMONING OF RECORD

Notes

Sections 58, 59 and 60 of the Act provide for the issue and service of summons and notices. The rules contained in this chapter are to be read with these sections. The provisions for summoning of record on appeal, reference or revision are also contained in this Chapter.

40. *Issue of Notice and requisition for Record.*—Where an order has been made directing notice of an appeal, revision or reference to issue, the office shall take immediate steps to cause notice thereof to be served on such persons as are indicated in Rule 48 and shall also give notice thereof to the court from whose decree or order the appeal or revision has been presented or by which the reference has been made. The office shall, if not directed otherwise, also send a requisition to such court asking it to transmit within ten days of the receipt of such requisition all material papers of the case or, if so directed a part thereof, unless such record has already been received.

41. *When Record not to be Summoned at once.*—When a record is required from a subordinate court in an appeal or revision from an interlocutory order the proceedings of the case are pending in that court, it shall not be sent for at once and only information of the fact that all material papers in the case would be sent for when actually required shall be sent and that court shall submit the case immediately on receipt of intimation that the appeal or revision is ready for hearing. In case such record is requisitioned at the special request of a party it shall be sent back to the court concerned as soon as possible and recalled only when the appeal or revision is ready for hearing.

42. *Record of the Case.*—Official who receives and examines the record shall see that all the necessary records have been received in each case and that the record of one case is not mixed up with another. If any record is wanted or if there is any defect in the names of parties steps should be taken promptly to obtain the wanting record and keep the defects rectified.

43. *No notice to be issued for record to be summoned unless requisite Process fee or costs is paid or Notices supplied.*—Notwithstanding any thing contained in the forgoing rules no notice shall be issued in a case in which process fee or cost of issuing notice is leviable unless the requisite process fees or costs have been paid and notices in duplicate in the prescribed form duly filled in have been

supplied for service within seven days from the date on which the order of notice is made, or unless such costs have been paid and such notices have been supplied under the next following rule and the court has condoned the delay.

44. *Effect of non payment of process fee or costs of supplying of notices within time.*—If the requisite process fee or cost of issuing notice is not paid or the requisite notices are not supplied within the prescribed time, the appeal or application, as the case may be, shall be listed before the Board for dismissal and shall be dismissed unless on case being called an application signed by the party or his advocate, pleader or Revenue Agent together with a requisite process fee or cost of notices as the case may be is presented for consideration of delay and the Board deems fit to grant it.

45. *Objection to the amount of process fee etc. to be decided by the Registrar.*—Where objection is taken as to the correctness of amount of the process fee or cost of issuing notice demanded by the office, the party or advocate, pleader or the Revenue Agent shall immediately bring the matter to the notice of the Registrar who shall decide such objections forthwith.

46. *Contents of notice.*—The notice of an interlocutory application or an application for review shall be to appear and show cause why the application be not granted and the notice of appeal, application or reference shall be to appear and answer to such appeal, application or reference. The date for appearance shall be fixed with due regard to the current business of the Board, the place of residence of the person to be served, the time required for service and the time necessary, if any, for appearance after service to the notice has been affected.

Every notice shall be in the prescribed form.

47. *Particulars to be noted in the notice by party.*—All the required particulars except the date fixed for appearance and the date of issue of notice shall be legibly entered in every notice before it is supplied to the office. Where there is a registered address, such address alone shall be entered followed by letters R.A. in red ink. Where no such address exist, the fact shall be noted clearly in the notice.

48. *Persons to whom notice shall go.*—Unless otherwise ordered—

(a) notice of an appeal shall be issued to all respondents and proposed respondents;

(b) notice of an application in revision shall be issued to all the opposite parties or proposed opposite parties;

(c) notice of reference shall be issued to all parties to the case;

(d) notice of an interlocutory application shall be issued to all parties to the case other than the applicant;

(e) notice of an application for appointment of a guardian shall also be issued to—

- (i) the proposed guardian;
- (ii) the minor, if he is not less than 10 years of age, and
- (iii) the natural guardian of the minor.

(f) notice of an application for the removal of a guardian shall be issued to—

- (i) the guardian sought to be removed;
- (ii) the proposed guardian, and
- (iii) the minor, if he is not less than 10 years of age.

(g) notice of an application for the transfer of a case shall be issued to all parties to the proceeding sought to be transferred other than the applicant;

(h) no notice of an application for stay of execution shall be issued to any judgment debtor; and

(i) no notice of an application for injunction shall be issued to any person other than the person sought to be restrained.

49. *Service of Notice*—The provisions of Order V of the Code shall apply to the service of notice in all proceedings in this court:—

Provided that—

(a) where a party is represented by an Advocate, pleader or Revenue Agent notice of any proceeding in the case shall unless ordered otherwise, be served on such Counsel;

(b) notice to a person residing in a presidency town or notice of an interlocutory application may be sent by registered post;

(c) where the Registrar or the Board directs that a notice be served in a particular manner, it shall, notwithstanding anything contained in this Rule, be served in such manner.

Notes

The provisions of Order V of the Code of Civil Procedure have been made applicable for service of notices in all proceedings before the Board. The application of Order V is, however, subject to the aforesaid provisos. The rules contained in Order V C. P. C. provide a detailed procedure for the issue and service of summons.

50. *Application for summoning Record, register or document.*—Any party desiring to summon a record, register or document from a court shall make an application to the Registrar for that purpose;

Provided that the Board may, if satisfied, that the summoning of a record, register or document is necessary, dispense with such application and order that it may be summoned.

CHAPTER VI.

Hearing and Adjournment of Cases.

Notes

Section 64 of the Act authorises a Revenue Court or the Officer to adjourn the hearing of a case from time to time and provides that the time and place of an adjourned hearing or proceeding shall be intimated to such of the parties or witnesses as are present. The rules in this Chapter prescribe the procedure in this regard.

51. *Order sheet.*—When an appeal or application or reference has been registered and numbered as a separate case, an order sheet in the prescribed form shall be attached thereto. There shall be one order sheet for every case. The first entry on the order sheet shall indicate the date on which the appeal or application was presented or the reference was received in the office. It shall also record the order, if any, passed on that date.

52. *Order sheet to be in chronological order.*—The order sheet is intended to be a complete record of the history of a case in chronological order and all orders passed and all office reports in the case, including reports as the deficiency in the amount of court-fees, non-payment of process fees, service of notices etc. shall be entered legibly thereon.

53. *Maintenance of order sheet.*—(1) The order sheet shall be a continuous one consisting of as many sheets as may be necessary. No entries shall be made on a new sheet until all available space on the previous sheet has been utilised.

(ii) The order sheet shall bear one general number, different sheets thereof being given separate sub-numbers.

(iii) When an order is recorded by the Board or the Registrar on the order sheet, a note thereof shall also be made by the Reader on the paper to which the order relates. When an order is recorded by the Board or the Registrar elsewhere an entry thereof shall be made by the Reader on the order sheet.

(iv) All orders recorded by the Board or the Registrar on the order sheet and all entries on the order sheet of orders recorded elsewhere, shall be serially numbered.

(v) All office reports recorded on the order sheet shall be signed and dated by the clerk concerned, the date being entered immediately below the signature,

54. *List of cases.*—The Registrar shall cause to be prepared for each day a list of cases which may be heard by different Benches of the Board. The cause list shall be affixed at a conspicuous place in the court house. So far as possible, cases in which counsels from places other than Jaipur appear, may be given priority in the list.

When the Board is to hold its sitting at a district or divisional headquarters, a copy of the cause list shall be forwarded in advance to the Collector or the Commissioner as the case may be, for being posted on the notice board of his office.

55. *Hearing of cases in Camp.*—If on the day appointed for the hearing of a case in Camp, the Court is not sitting at the place specified, a fresh date and place shall be fixed for hearing the case or it shall be adjourned by an officer of the Court duly authorised in this behalf by the Court.

56. *Date and place should be stated in summons when parties summoned to appear in Camp.*—When parties are summoned to appear in Camp the place as well as the date of hearing shall always be stated in the summons.

57. *Cases to be called on in their order in Days' list.*—(i)

Cases in the days list shall unless otherwise directed by the Bench be called on and disposed of in the order in which they stand in the list.

No party shall have the right to have a case put out of place in the days list on the ground that his counsel is engaged or in any other court.

(ii) If on the day fixed for the hearing of any case or other matter, it appears that the requisite notice have been duly served, such case or other matter may be disposed of by the court on that day. But if it is not disposed of on that day, no further notice of the date of hearing other than an entry in the day's list on the day on which it is to be heard shall be necessary.

58. *Court may order a case to stand out of its place or be adjourned on application.*—On an application being made to it, the Bench may for sufficient cause, shown, order any case listed before it for hearing to stand out of its place in the days list or to be adjourned for such period as may be considered just. Where an adjournment for not more than three days is sought, the application may be made orally. In considering whether there is sufficient cause any objection on behalf of the other party shall be taken into account.

59. *Adjournment on Party's application.*—Except when an adjournment is made with the consent of the parties or where from insufficiency or want of notice, a party has not been able to prepare itself for the hearing of the case, the Board while granting an adjournment may direct the party applying for such an adjournment to pay to the opposite party, such costs as the Board may consider reasonable.

60. *Inspection of Record of a case on the days' list.*—Except with the permission of the Bench, no party shall be allowed access to the record of a case in the days list of the Bench before the case is called on for hearing. In the course of hearing, any of the parties may have access to the record when it is not being actually referred to or examined by the Bench.

61. *Appearance, Etc. to be in person or through recognised Agent.*—Any appearance or act in the Revenue Board required or authorised by law to be made or done by a party may except where otherwise expressly provided by any law for the time being in force, be made or done by the party in person or by his recognised agent or by a legal practitioner appearing or acting as the cases may be, on his behalf :

Provided that such appearance shall, if the Board so directs, be made by the party in person.

62. *Legal practitioner acting for any one should file a Vakalatnama.*—No legal practitioner shall act for any person in a court, unless he has been appointed for the purpose by such person by a

Vakalatnama signed by such person or by his recognised agent or by some other person duly authorised by or under a power-of-attorney to make such appointment. Provided that a legal practitioner when unable personally to attend to a case in which he is briefed may hand over the brief to another legal practitioner without the latter filing a Vakalatnama or mukhtarnama and the fees to whomsoever paid, shall, if duly certified be taxable costs.

Note:—A legal practitioner shall not be deemed to act if he only pleads. In the latter case he should file a memorandum of appearance as required under rule 4 (5) of Order III of Schedule I to the Code of Civil Procedure, 1908.

CHAPTER VII

Judgment and Decree.

63. *Pronouncing of judgment.*—After a case has been heard, judgment may be pronounced either at once or on some further date which shall be notified in the days list. No other notice to the parties shall be necessary.

Where a case has been heard by two or more members and the judgment has been reserved, their judgment or judgments may be pronounced by any one of them. If no such Member be present, such judgment or judgments may be pronounced by any other Member.

64. *Judgment or Order to be recorded.*—Every judgment or order delivered by the Board shall be recorded. Where a written judgment or order is delivered, it shall after it is signed or initialled by the Member or Members delivering it, be sealed with the seal of the Board and shall form part of the record. Where the judgment or order is delivered orally in open court, it shall be taken down by a judgment writer and a transcript thereof shall form part of the record. It shall then be signed or initialled by such Member or Members after corrections as may be considered necessary. Thereafter, it shall be sealed with the seal of the Board by the Bench Reader.

65. *Preparation of Decree or Formal Orders.*—After an appeal from a decree has been heard and decided a shall follow the judgment. In other cases, unless otherwise ordered, a formal order shall follow the order finally disposing of the case or any order by which decree costs have been awarded.

66. *Taxation of costs.*—Where the Board has passed an order that the parties shall pay their own costs or that no costs be allowed to or an order to the same effect or has passed no order as to costs, no sum shall be entered on taxation in respect of Pleader's fees except such sum as may have been ordered to be paid by a party irrespective of the result of the case.

Where a party is only partially successful and costs are ordered to be paid in proportion to the success of such party, the amount of all taxable costs payable to it shall be proportionately reduced.

67. *Contents of decree or formal order.*—The decree of formal order shall be drawn up in Hindi and shall bear date on which the judgment or order upon which it is founded was delivered.

It shall contain the nature, number and year of the case, the names and descriptions of the parties; the names of their counsels and a clear specification of the relief granted or other adjudication made.

It shall state the amount of costs incurred in the case and by whom and in what proportions such costs and costs in the Board or Courts below, if any, are to be paid.

68. *Notice of decree or formal order for objection.*—As soon as the decree or formal order has been drawn up the Registrar shall cause to be exhibited on a notice board placed in a conspicuous position in the Court building and open to the place, a notice stating that the decree or formal order has been drawn up. The notice shall further state that any party to it or his Counsel on or before a date to be specified in the notice peruse the same and sign it or file with the Registrar an objection thereto on the ground that in his view there is a clerical error or omission in the decree or formal order or that it is not in accordance with the judgment or order upon which it is founded. Such objection, if any, shall state clearly that the alleged clerical error or omission is or in what respect the decree or formal order is not in accordance with the judgment or order. It shall be signed and dated by the party or his Counsel filing it.

69. *Procedure of objection.*—Where an objection is filed the Registrar shall after giving notice to the parties concerned submit the same to the Bench by whom such judgment or order was delivered. After the decree or order has been corrected or altered, as directed by the Bench, it shall be signed by the Member or Members as the case may be.

If no objection is filed, the decree or formal order shall be signed by the member or members concerned and sealed with the seal of the Board.

CHAPTER VIII.

Affidavits and Forms of Oaths.

70. *Full particulars of persons and place to be given.*—An affidavit shall fully describe the person swearing the affidavit with such particulars as will ensure his clear identification such as his full name, the name of his father, his religious persuasion, his rank or degree in life, his profession, calling, occupation or trade and his true place or residence. Any person or place referred to in an affidavit shall be fully described in such manner as to enable his or its identity to be clearly fixed.

71. *Persons who may make affidavits.*—Except as otherwise provided by law or by an order of the Court, an affidavit may be sworn by any person having knowledge of the facts deposed to therein.

Two or more persons may join in an affidavit each deposing separately to such facts as are within his knowledge.

72. *Forms of affidavits.*—When the deponent speaks to any facts within his own knowledge, he must do so directly and positively using the words “I affirm” or “I make oath and say”, or words to that effect.

73. *Facts to be within the deponents' knowledge or sources to be stated.*—Except on interlocutory applications, affidavits shall be confined to such facts as the deponent is able of his own knowledge to prove.

On an interlocutory application when a particular fact is not within the deponents' own knowledge but is based on his belief or information received from others which he believes to be true, the deponent shall use the expression “I am informed and verily believe such information to be true or words to that effect, and shall sufficiently describe for the purpose of identification, the person or persons from whom his information was received.

When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the deponent shall verify that he believes such information to be true.

74. *Identification of deponent.*—Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is sworn, be identified before that person by some one known to him; and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made.

Such identification may be made by a person—

- (a) personally acquainted with the person to be identified; or
- (b) who is reasonably satisfied as to his identity:

Provided that in the latter case the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified, namely:—

FORM OF DECLARATION.

“I (name, description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A. B. is that person.

FORMS OF OATHS.

The following forms of oaths and affirmations are prescribed under section 7 of the Indian Oaths Act by the High Court of Rajasthan—

- (1) Oaths for witness—“The evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth, so help me God”.

(2) Affirmation for witness—"I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth".

(3) Oath for interpreter—"I will well and truly interpret what is deposed by the witness (or witnesses) before the court. So help me God".

(4) Affirmation for interpreter—"I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the court".

(5) Oath for person making affidavit—"I swear that this my declaration is true; that it conceals nothing; and that no part of it is false. So help me God".

(6) Affirmation for person making an affidavit—"I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false".

CHAPTER IX.

Rules regarding the payment of fees to legal practitioners.

Notes

The rules in this Chapter have been framed to carry out the provisions of section 67 of the Act which reads as under:—Any revenue court or officer by whom an order has been passed in any proceeding under this Act may, either of his own motion or on the application of a party, correct any error or omission not affecting a material part of the case, after such notice to the parties as may be necessary.

Rules 66 under Chapter VI of these rules also deals with this matter.

75. *Revision applications and appeals from original or appellate decrees*—The fee to be allowed on taxation in a contested revision application or an appeal contested or uncontested from an original or appellate decree shall be an amount calculated on the value of the claim in accordance with the following scale (subject to a maximum of Rs. 80/-) in cases mentioned in Rule 80—

(i) if the amount or value does not exceed Rs. 5,000/- at 5%,

(ii) if the amount or value exceeds Rs. 5,000/- but does not exceed Rs. 20,000/- on Rs. 5000/- at 5% and on the remainder at Rs. 2%,

(iii) if the amount or value exceeds Rs. 20,000/- and does not exceed Rs. 50,000/- on Rs. 20,000/- as above and on the remainder at Re. 1%, and

(iv) if the amount or value exceeds Rs. 50,000/- on Rs. 50,000/- as above and on the remainder at $\frac{1}{2}\%$:

Provided that in no case shall the amount of any fee exceed Rs. 4,000/-,

76. *First appeal in which application for summary determination is made*.—The fee to be allowed on taxation in a First Appeal on the disposal of an application for the summary determination of such appeal shall be as follows:—

(i) Where the application for the summary determination of an appeal is allowed and the appeal dismissed, the fees shall be as in rule 75.

(ii) Where the application for the summary determination of an appeal is rejected, one fourth of the amount of fee taxable under rule 75.

77. *Certain Miscellaneous cases.*—In a miscellaneous case for the setting aside of an abatement or an *ex-parte* decree or an order dismissing a case for default, a fee of Rs. 50/- shall be allowed in the case of a First Appeal and Rs. 32/- in any other case.

78. *Cross objection.*—Any cross-objection filed under rule 22 of Order XLI of the Code shall, for the purposes of this Chapter, be treated as separate appeal.

79. *Value of the claim.*—The value of the claim shall be the value stated in the memorandum of appeal, the value stated as that of the property in respect of which the application is made in the case of an application, the value as stated in the application if the case is one in which the relief claimed is capable of valuation. Fractions of a rupee shall be omitted from the value of the claim in calculating fees.

80. *Cases in which relief is one incapable of valuation.*—In a case referred to in the next proceeding Rule in which the claim is incapable of valuation in the manner provided in that Rule, the Court may allow such fees as it may consider reasonable subject to a maximum of Rs. 80/-

81. *Courts' discretion in allowing fees.*—Notwithstanding anything contained in Rules 75 to 80 the Court may allow a higher fee if in its opinion the fee allowable under the Rules is, having regard to the circumstances of the case, inadequate or may for sufficient cause shown, allow a lower fee or order that no fee be entered in the table of costs of a party.

82. *Several defendants succeeding upon a joint common defence.*—Where several defendants whether arrayed as appellants or respondents in the Court having a joint or common interest, succeed upon a joint defence to the suit or upon separate defences which are substantially the same, the total sum to be entered in their joint table or in their respective tables of costs shall not exceed that allowable under the Rule applicable to the class to which the case belongs, unless the Bench hearing the case orders otherwise.

If only one fee is allowed, the Court may indicate to which of the defendants it shall be paid or may apportion it amongst them in such manner as it may think fit. If the Court makes no such order, the Registrar shall apportion it equally among such defendants as may have appeared by a counsel, at the hearing of the case.

83. *Several defendants succeeding upon separate and distinct defences.*—Where several defendants whether arrayed as appellants or respondents in the Court having separate interests have set up separate and distinct defences, a separate fee as allowable under the Rule applicable to the class to which the case belongs may, if the

court so orders, be allowed in respect of the separate interest of each such defendant as may have appeared at the hearing by a separate Counsel and succeeded upon his separate and distinct defence.

84. *Effect of falsely valuing the claim.*—Notwithstanding anything contained in these Rules, the Court may order that no sum in respect of Counsel's fee shall be included in the table of costs of a party, in whose memorandum of appeal or application, as the case may be, the value of the claim has been falsely and dishonestly stated. In such case, the Court may allow such additional sum to be included in the table of costs of the other party on account of counsel's fee as may appear to it to be reasonable

85. *Fee of Advocate, Pleader, Vakil or Revenue Agent not present.*—No fee with respect to any Advocate, Pleader, Vakil or Revenue Agent shall unless he is present at the hearing of the case or the Bench hearing the case directs otherwise, be included in the taxation of costs.

86. *Fee of Advocate's clerk.*—A sum calculated at the rate of 5 per cent on the taxed fee of the counsel of a party shall subject to a minimum of two rupees be included in the taxation of costs on account of the fee of such Advocate's clerk.

87. *Certificate of Fees.*—Except in the case of a Counsel appearing for the Government no fee shall be included in the taxation of costs unless the Registrar is satisfied that the fee was paid to the counsel prior to the delivery of the judgment or the order by which costs became payable and unless the party claiming to have such fee included in the taxation of costs has prior to the delivery of such judgment or order filed a certificate signed by the counsel concerned showing that such fee has actually been paid to him by or on behalf of such party:

Provided that the certificate filed after the time mentioned above but before the judgment or order is signed may for sufficient cause shown be accepted for inclusion in the taxation of costs by the Bench deciding the case.

(2) The certificate under this Rule shall be in the prescribed form and shall be presented by the counsel or his clerk:—

(a) if the case is before the Court, to the Reader concerned, and

(b) in other cases, to the Registrar,

The person presenting the certificate shall obtain the signature of the officer receiving it on the counter-foil. The officer receiving the certificate shall also endorse thereon the date and the hour of its presentation.

CHAPTER X.

Inspection of Records.

88. *Removal of record from Court Building.*—No record of any case shall be removed from the Court Building except under the order in writing of a Member or the Registrar:

Provided that if a Member requires the record at his residence he may take it. The official in whose custody the record is shall keep a note of the date when the Member takes the record and the date when he returns it.

89. *No inspection of record in Administrative Department.*—No record or paper in the Administrative Department shall be inspected by any person other than a Member or a Gazetted Officer of the Board except under an order in writing of the Chairman.

90. *Inspection of record in Judicial Department.*—The record or the papers in the Judicial Department shall be inspected only under an order in writing of the Registrar. Such orders shall be made upon a written and duly stamped application provided that no stamp shall be required in the case of applications for inspection made on behalf of the Government.

91. *Inspection by stranger.*—A person other than a party to the case may also apply for an order for the inspection of a record or paper or papers contained therein provided he clearly states the reason why the inspection is desired. Such person shall not be entitled as of right to obtain an order for inspection and shall in no case be allowed to inspect any exhibit on the record except with a consent in writing of the person by whom such exhibit was filed or by his successor-in-interest. Such consent shall be filed along with the application for inspection.

92. *Form of application.*—Every application for inspection shall be in writing and shall set forth:—

(i) the particulars of the record or paper of which inspection is desired;

(ii) the party or the person on whose behalf the application is made;

(iii) the name of the person by whom inspection is to be made and;

(iv) whether application is an ordinary or urgent one.

93. *Fees.*—The fee for the inspection of records shall be paid in the court fee labels in accordance with the following scales:—

(i) Ordinary Re. 1/-.

(ii) Urgent Rs. 2/-.

Provided that no fee shall be charged in the case of (a) inspection by counsel appearing for the Government or by an officer of the Government whose duty it is or who may have been empowered by the Government to make inspection of records.

(b) Inspection by any person especially exempted from payment of such fees by the Chairman.

94. *Time of application.*—Every application for inspection shall be made before the Registrar on a working day during office hours.

95. *Order of Inspection.*—Every order for the inspection of a record shall specify the record or paper or papers of which inspection is allowed and shall state the name of person or persons who may make such inspection.

96. *Application to be forwarded to the Supdt concerned.*—After an order of the inspection has been made, the Deputy Registrar shall forward the application to the Superintendent of the Department concerned.

97. *Application to be numbered, initialled and registered.*—The Superintendent or one of his Assistants shall number and initial the application and enter it in a register in which the following entries shall be made namely:—

- (i) Serial No. of the application and the nature of the inspection' (Ordinary or Urgent);
- (ii) particulars of the record or papers to be inspected;
- (iii) date of the order of inspection;
- (iv) date of inspection;
- (v) name of the person inspecting the record;
- (vi) date of receipt of record or paper and the date of its return; and
- (vii) remarks, if any.

98. *Ordinary applications.*—Inspection on an ordinary application shall be allowed on the day following the day on which the application is made or on a subsequent day mentioned in the order.

99. *Urgent applications.*—Inspection of an urgent application shall be allowed on the same day.

CHAPTER XI

RULES REGARDING THE GRANTING OF COPIES

100. *Copies not to be made without order.*—Except as otherwise directed by these Rules no copy shall be made or permitted to be made of any record or of any paper in any record, without an order of the Board, the Registrar or the Deputy Registrar on an application made as hereinafter provided.

101. *Contents of application.*—Every application for a copy shall be on the prescribed form and shall state—

- (a) the name and address of the applicant;
- (b) whether the applicant is a party to the case;
- (c) whether the application is an ordinary or an urgent one;
- (d) whether the copy is to be sent by post;
- (e) full particulars of the paper of which a copy is sought and the record in which it is contained;
- (f) whether the case has been finally disposed of and the date of decision or final order if any; and
- (g) when the applicant is not a party to the proceeding the purpose for which the copy is sought.

102. *Presentation of application for copy.*—Every application for copy shall be presented in person or sent by post to the Registrar, provided that an application for copy by a stranger to the case shall be presented in person to the Registrar:—

(a) when it is made before the passing of the final decree or order in the case; or

(b) when the copy required is of an exhibit in the case, whether the application is made before or after the date of the passing of the decree or order.

103. *Sending of a copy by post.*—If the applicant desires a copy to be sent by post he shall also send (1) duly stamped and addressed post card to enable him to be informed of the extra charges to be paid if any, on his application for the copy, and (2) a duly stamped and addressed envelope for sending the copies.

NOTE:—If the extra charges are not paid within 15 days from the date of issue of notice, the application for copy shall be rejected and the addressed envelope shall be used for informing the applicant of the order of rejection of his application.

104. *Pleader's clerk may apply for a copy.*—An application for copy duly signed by a pleader may be presented by his registered clerk and a copy may be delivered to such clerk.

105.—*Time of presentation.*—All applications for copy shall be received during such hours as may be fixed by the Chairman. After receiving such applications, the Deputy Registrar shall endorse on them under his initials the date of receipt, pass orders granting the application and forward them to the Head Copyist. The Head Copyist shall without delay put serial numbers on them and enter them in the register of applications for copies.

106. *Application by Stranger.*—The application by a stranger to the case for the copy of an exhibit whether the application is made after the passing of the final decree or order or for the copy of other paper when it is made before passing of a final decree or order in a case shall not be granted unless the Registrar is satisfied that there is sufficient reason for granting it. The Registrar may refer any such application to the Member concerned for orders.

107. *Grant of copy of exhibits to strangers.*—No order for a copy of an exhibit shall be made on the application of a stranger to the case in which such exhibit was filed unless the application is accompanied by a properly authenticated consent of the person by whom such exhibit was filed to the grant of such copy.

108. *Copy of deposition which is being recorded before the court.*—When an application is made for the copy of a deposition which is being recorded before the Board, the Deputy Registrar shall refer it to the Bench concerned for orders.

109. *No charge for copy in certain cases.*—Notwithstanding anything contained in these rules, the Registrar may order a copy of any paper or record to be made and delivered free of charge upon an application on behalf of Government or the Head of any Department of a Government in India or the High Court or Board of Revenue in India or any authority in India exercising jurisdiction similar to that of a High Court or Board of Revenue or any Court subordinate to the Board or any Principal Court in any other country.

110. *Free copy.*—In cases in which the Government is a party copies of judgment orders or decrees and any other papers required for the purpose of conducting the case shall be supplied free of charge to the Government Law Officer.

111. *Confidential papers.*—No copy of or extract from any minute, letter or document or any administrative or confidential file of the Board shall be issued except under an order in writing of the Chairman. Every such order shall be kept in a file by the Registrar and he shall make a note thereof duly dated and signed by him on such minute, letter or document.

112. *Copy of a copy.*—No copy shall be given of any document which is itself a copy except for special reasons to be recorded on the application by the Registrar or the Deputy Registrar as the case may be. Where a copy of a copy is given, the fact that it is such a copy shall be noted in red ink on the top of each page of such copy.

113. *Copy of documents in a language or character not current in the State.*—Where an application is made for a copy of any document in a language or character with which no copyist on the establishment of the Board is acquainted the Registrar shall if possible arrange for the preparation of a copy by any competent person acquainted with such language or character who may, in his opinion be relied upon for the purpose. In such case, the person preparing a copy shall verify it in the following manner namely:—

I (A.B.) declare that I read and understand the language and character of the original and that the above is a true and accurate copy thereof.

If no such person can be found, the Registrar may send the document together with a copy of this Rule to a court in another State where such language or character may be in use and request it to have the copy made. Any additional charges incurred shall be borne by the applicant.

If agreed to by the person applying for such copy, the Registrar may instead have a photographic copy prepared of such document, if possible on payment by the applicant of all such additional charges as may be incurred.

114. *Application to be accompanied by copy folios and stamp labels.*—Except in cases where no copying fee is chargeable under these rules, every application for copy shall be accompanied by the copy folios bearing extra adhesive copy stamp labels of the

requisite value unless the copy required be of a book, register, map or plan or an extract thereof. If the whole of the copy cannot be written upon the copy folios accompanying the application, it shall be completed upon ordinary foolscap size paper:

Provided that where the copy required is a copy of the decree of the court, the application shall be accompanied only by adhesive copy stamp labels of the requisite value and the copy shall be made on the printed form prescribed for the preparation of decrees, the court fee labels being affixed thereon:

Provided further that when copy folios may not be available plain paper may be used for the preparation of copies.

115. *Scale of charges for copies.*—The following scale of charges is prescribed for copies:—

(a) for a copy of a judgment, deposition, decree or any other paper except a book register, map or plan or any other extract thereof containing less than four hundred words:—

Ordinary Re. 1/-.

Urgent Rs. 2/-.

(b) for a copy ordinary or urgent containing more than 400 words' for four hundred words the charges shall be same as detailed above and for further subsequent one hundred words or less an extra charge of -/4/- and -/8/- shall be made for an ordinary and urgent copy respectively.

Representatives of the approved Law Reports shall be entitled to get copies of judgments marked "Worth Reporting" on payment of such concessional rates as may be fixed by the Chairman.

116. *Copies of books etc.*—Where the application is for the copy of a book, register, map or plan or any extract thereof, the Head Copyist shall, as soon as, it has been received from the Registrar cause an estimate to be made of the cost of preparation of such copy and submit it alongwith the application to the Registrar. After the Registrar has approved the estimate, it shall be communicated to the applicant if present or notice thereof shall be affixed on the Notice Board of the copying office on two consecutive working days and the applicant shall be required to deposit the estimated cost within seven days. If the application has been received by post, a copy of notice shall be sent by unpaid post to the applicant requiring him to deposit the estimated cost within ten days. If within the time aforesaid, the estimated cost mentioned in the notice is paid to the cashier or is received by him by money order, he shall enter it in a register of petty items and inform the Head Copyist. The Head Copyist shall obtain the orders from the Deputy Registrar for the purchase of the necessary stamp, tracing cloth etc. and the copy shall thereafter be prepared. If the cost is not received by the cashier within the aforesaid time, the application shall be rejected.

117. *Rejection of application* —If for any reason, the copy applied for cannot be given, the application shall be rejected. The

copy folios and stamps shall be returned to the applicant after taking his signature in the appropriate column of the Register of Applications and he shall be informed of the reason why the copy cannot be given. If the application is received by post, the information shall be given to the applicant and the copy folios and stamps returned to him by unpaid post. If however any postage stamps have been filed with the application, they may be used for the purpose. A note thereof shall be made in the remarks column of the Register of Applications.

118. *Destruction of copy folios and stamp papers which cannot be returned.*—If any copy folios and stamps are to be returned to the applicant personally under the next proceeding Rule and the applicant does not appear within three days of the date on which his application is rejected, they may be sent to him by post provided that the necessary postage stamps have been deposited on his behalf for this purpose. Any copy folios and stamps which cannot be returned to the applicant or are received back as undelivered from the Post Office shall be destroyed under the orders of the Registrar after the lapse of a period of three months, the fact being noted in the remarks column of the register.

119. *Register of applications.*—A Register of Applications for Copies shall be maintained by the Head Copyist in the prescribed form, separate registers being used for ordinary and urgent copies.

120. *Applications to be dealt with in serial order.*—All applications for copy shall be dealt with according to the Serial Numbers in the order of the date of presentation; urgent applications being given priority over ordinary ones.

Any departure from this Rule shall be reported immediately to the Registrar with reasons for such departure and his orders shall be complied with.

121. *Requisition for record.*—The Head Copyist shall promptly make proper entries in the Register of applications for copies. The Head Copyist shall send the applications to the official-in-charge of the records required who will enter each in the appropriate column of the Register his signature and the date and hour on which he received the application. The official-in-charge of the record shall without delay send such application, order and stamped paper and the record to the Head Copyist and shall take from the Head Copyist in a book to be kept for the purpose, a receipt of the date and hour when such record was delivered to him; and the Head Copyist shall enter in the appropriate column of the Register, the date and hour on which he received the aforesaid record.

122. *Reference to Registrar.*—If any difficulty arises in the preparation or issue of a copy, the matter shall be referred to the Registrar for orders.

123. *Notice of defective applications.*—If an application for copy does not contain sufficient information to enable the record

to be traced or if the fee paid is insufficient or the application is otherwise defective, the applicant shall be informed if present or a notice to that effect shall be affixed on the Notice Board.

If the application has been received by post, the information shall be communicated to the applicants by unpaid post.

If the defect is not removed or the deficiency not paid within one week, the application shall be rejected.

124. *Delivery of copies to applicants.*—After a copy has been prepared, it shall be examined and certified to be a true copy by the Superintendent of the Copying Department and each page of the copy shall be stamped with the seal of the Board.

At the end of the day, the Head Copyist shall cause all copies which have been duly certified and sealed to be delivered to the applicants, or where the requisite postage stamps have been deposited by the applicants for the purpose to be sent to them by post, after making necessary entries in the appropriate column of the register.

125. *Notice of ready copies.*—(i) A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy, as far as possible shall be delivered on the date so fixed.

(ii) If for any reason the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date, when the copy may be accepted to be ready for delivery.

(iii) If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he has deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice board.

(iv) When a copy is ready, and the applicant or his authorised agent is present the copy shall be given to him. If the applicant or his authorised agent is not present, a notice over the signature of the Superintendent, Copying Department (Judicial Section) shall be affixed to the notice board stating that the copy is ready for delivery. If from the date of the fixing of the notice the applicant appears within 3 months, the copy shall be delivered to him.

126. *Destruction of copies which can not be returned.*—Where a copy remains undelivered to the applicant for a period of three months after the date of affixation of the notice on the Notice Board under the next preceding Rule, it shall be destroyed under the orders of the Registrar, an entry to that effect being made in the remarks column of the Register of Applications.

Where a copy sent to the applicant by post is received back as undelivered, it shall similarly be destroyed if it is not taken delivery of by the applicant within a period of three months from the date on which it was received back by the office.

127. *Delivery of Urgent copies.*—In the case of urgent applications, copies shall be delivered to the applicant as far as possible not later than the end of the working day next after the day on which the application was presented, provided that the application is in order and the requisite fee has been duly paid.

128. *Issue of copies of certain orders the same day.*—Copies of all orders passed by the Board staying proceedings or execution or granting injunction or when so ordered by the Board shall on application and on payment of the prescribed charges be given to the parties on the very day on which such orders are passed and, if this is not possible, on the following day.

129. *Sending copies folios etc. by post.*—(1) Where a communication may under this Chapter be sent to the applicant by unpaid post, it may be sent to him by pre-paid post, provided that applicant has previously deposited the necessary postage stamps for the purpose. If the postage stamps so deposited are sufficient to cover registration charges also, such communication may be sent to him by pre-paid registered post.

(2) Where the postage stamps deposited by the applicant are insufficient for the purpose indicated by him, the copies, folios and stamps or communication as the case may be, may be sent to him in an insufficiently cover.

(3) Where the applicant desires that any copies folios and stamps or communication be sent to him under registered cover, but the postage stamps deposited by him are insufficient to cover registration charges, such copies folios and stamps or communication, as the case may be, may be sent to him by ordinary post.

(4) Where the postage stamps deposited by the applicant are in excess of requirement, the unused postage stamps shall be returned to him in the same cover.

(5) Where any postage stamps cannot be returned to the sender, they may be used as service stamps after being entered in the stock book of service postage stamps.

(6) Where an unpaid or insufficiently paid cover is received back undelivered from the Post Office, the amount charged by the Post Office shall be debited under head "Contingencies".

130. *Heading on copies.*—Every copy shall commence with a heading in the following forms—

Certified copy of (description of paper copied) in (title of Revision

case) ——— No. (Number) of (Year) in the Board of Revenue Appeal

decided

Rajasthan, ——— on (date).

pending

131. *Endorsement on a copy.*—Every copy shall bear an endorsement showing the following particulars:—

- (a) the number of the application on the register and the year,
- (b) the date of the presentation of application,
- (c) amount of copying fees,
- (d) name of copyist,
- (e) date fixed for issue of copy,
- (f) date on which copy was ready,
- (g) date of issue of notice to applicant (if issued), and
- (h) date of delivery/posting.

132. *A register of Applications for copies disposed of.*—A register of applications for copies disposed of shall be maintained by the Head Copyist. All copies issued and all applications disposed of without issue of copies shall be entered in this register.

133. *Standard of work for typists and copyists*—The following standard of work is fixed for typists and copyists:—

English Typists—Four thousand words per day.

English Copyists—Two thousand five hundred words per day.

Hindi Copyist—Two thousand five hundred words per day.

CHAPTER XII.

Notes

Registers under this Chapter have been prescribed under section 14 of the Act which reads as under :—

The Board shall cause to be kept and maintained such registers, books and accounts as may be prescribed or as may be necessary for the transaction of its business.

134. *Division of Record into parts.*—Each record in Judicial cases shall be divided into two parts to be classed, 'Part "A"' and 'Part "B"'.

135. *General Index.*—Each paper, as it is filed, shall be entered in a general index and shall be marked with the letter A or B according to the part to which it belongs.

136. *Part A and B.*—In the case of appeal, revisions, reviews and miscellaneous cases 'Part 'A'' shall consist of the following papers namely:—

- (1) General Index.
- (2) Order Sheet.
- (3) Memorandum of appeal or application.
- (4) Copy of decree of formal orders under appeal of revision.
- (5) Notice with report of service in *ex-parte* case..
- (6) Objection or reply.
- (7) Order of remand.
- (8) Copy of findings on issues referred to the Lower-Court for trial.
- (9) Applications for substitution, addition or striking out of names of parties.
- (10) Deposition of a party or witness.
- (11) Report, proceedings or examination of Commissioner.

- (12) Order of appointment or removal of a guardian or next friend.
 - (13) Documents filed by parties.
 - (14) Order impounding a document.
 - (15) Affidavits, arbitration, agreement and award of arbitrator.
 - (16) Compromise, waiver or confession of judgment.
 - (17) Boards' judgment or final order.
 - (18) Boards' decree.
 - (19) Certificate of return of record.
 - (20) Order of reference to High Court.
 - (21) Certificate of fees paid to Advocates etc.
 - (22) Any other paper directed by the Board to be included in Part A.
- All other papers shall be kept in Part B.

137. *Destruction of Part A.*—Part A shall be retained for a period of 12 years from the first day of January following the date of judgment or the final order and shall then be destroyed excepting (1) general index, (2) judgment and compromise, if any, on which decree have been passed, (3) decrees and (4) unreturned documents which shall be retained permanently.

138. *Destruction of Part B.*—Papers in Part B shall be retained for a period of 3 years from the first day of January, following the date of judgment or final order.

139. *Papers destroyed to be noted in the Index.*—A note of every destroyed shall be made at the time of destruction in the General Index of each case under the signature of the Record-keeper.

140. *Period of retention of papers.*—The following papers shall be destroyed on the expiration of the periods specified against them computed from 1st January, of the year succeeding that to which they relate:—

No.	Description of paper.	Period of retention.
1	2	3
1.	Periodical statements, returns, and office copies of the same, except annual returns and statements.	One year.
2.	Proceedings of other courts and offices forwarding summons, notices proclamations and the like.	One year.
3.	Proceedings of lower courts calling for records asking for information, and the like.	One year.
4.	Reports from ministerial officers not relating to particulars suits or cases.	One year.
5.	Applications for leave, or from candidates for employment or any other proceedings, reports	

and applications not relating to particular suits or cases.

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|--|--------------------|
| | One year. |
| 6. File books of applications for search. | One year. |
| 7. Application for renewal of certificates of Revenue Agents and cancelled certificates. | Two years. |
| 8. Counterfoils of certificates for refund of payment of court-fees. | Three years. |
| 9. Treasury Challans for Saleable forms. | Six account years. |
| 10. Counterfoils of repayment order books. | Twelve years. |

141. *Period of retention of books.*—The following books sh be retained for the periods specified against them:—

No.	Description of books	Period of retention after date of last entry.
1	2	3
1.	Memorandum book of dates.	One year
2.	Despatch Register.	-do-
3.	Register of sanctioned estimates for maps and plans.	-do-
4.	Peon Book or Station Dak Book.	-do-
5.	Register of applications for copies.	-do-
6.	Inspection register.	-do-
7.	List of unexpended petty deposits.	-do-
8.	Stock book of printed forms.	Three years
9.	Register of casual leave.	-do-
10.	Outstation dak book or service postage stamps account book.	-do-
11.	Office copies of lists of lapsed deposits and clearance register.	Three years after close of the account year to which they relate.
12.	Stationery Register.	Three years (after completion)
13.	Register of disposal of applications for executions of decrees of orders.	Six years.
14.	Register of requisitions for records.	-do-
15.	Register of appeals from decrees disposed of.	Six years.
16.	Cash Book.	Twelve years.
17.	Register of returned documents.	Thirty years.
18.	Register of applications for execution of decrees and orders.	-do-
19.	Register of decided cases.	-do-
20.	Register of receipts of deposits.	-do-
21.	Register of repayments of deposits.	-do-
22.	Register of letters received.	Forty years.
23.	Register of letters issued.	-do-

24. Register of Miscellaneous appeals.	Fifty years.
25. Register or Revenue Agents enrolled.	-do-
26. Register of appeal from decrees.	Sixty years.
27. File Index.	Permanently.
28. Catalogue.	-do-
29. Stock register of furniture.	-do-
30. List of registers consigned to the record room.	-do-
31. File books of standing orders and Circulars.	-do-

CHAPTER XIII.

Record Room.

142. *Record Room.*—The Record Room of the Board shall consist of two parts—(i) Judicial and (ii) General. It shall be under the charge of a Record Keeper assisted by an Assistant Record Keeper and Bundle lifters.

143. *Duties of the Record Keeper.*—The duties of the Record Keeper are to—

(i) see that no unauthorised person enters the record rooms or secures access to the records and that the record room is securely closed and locked in his presence before he leaves the office. The keys of the record rooms will be retained by the Record Keeper, but duplicate of keys clearly marked will be kept in a sealed envelope in the safe to be used in case of emergency;

(ii) trace out and submit old references;

(iii) sign the register when files are returned to the record room;

(iv) have the files weeded out daily as much as possible and to finish the weeding work by the end of the financial year;

(v) examine all files received in the record room and restore them without delay to their respective packets;

(vi) allow no files to be removed from the record room without necessary entries being made in the register and to keep requisition slips in their respective packets when files are removed.

(vii) see that the record racks are regularly dusted and the rooms kept tidy and also to see that proper precaution is taken to protect the record from damage by rats, white-ants, damp, insects or fire;

(viii) see that the rules are carefully observed;

(ix) see that no inflammable material is kept in any of the corridors or verandahs around the record room;

(x) see that the P.W.D. are reminded well in advance to inspect the record room once in a year in April to take steps to repair any Cracks in the roof and remove other constructional defects;

(xi) sign while giving over charge, the various index registers in token of handing over charge and the record keeper

taking over charge should also sign the same register after verifying that the records indexed in these registers are in tact;

(xii) report in the month of January describing the condition of the records, and deterioration or damages if any caused by atmospheric conditions, rats, insects or fungi, specifying records which stand in need of repair or rebinding.

144. *Record room to be opened in the presence of Record Keeper.*—The record room will not be opened in the absence of the Record Keeper. If on a holiday or outside working hours it becomes necessary to open it, the Record Keeper shall be called. If the Record Keeper is not available the record room may be opened in the presence of a Gazetted Officer under orders of the Registrar.

145. *Statement of files taken and not returned to the record room.*—All cases taken out of the record room and not returned within six months should be entered in a statement to be prepared and circulated to the departments concerned for report as to the reasons of delay. This statement is to be prepared every six months.

146. *Examination of files consigned to record Room.*—On receipt of files from the Sections they are to be carefully examined and the initials of the official who receives them are to be given in the receipt book in which cases are entered and consigned to the record room. Any defect found in the files should atonce be brought to the notice of the Superintendent concerned and files should be returned to the Section after any entry has been made in the receipt book.

147. *Storage of files on the Racks.*—Files should be kept together in suitable bundles or packets and stored tidily on the racks. No files or books should be kept lying on the floor.

148. *Labelling of record racks.*—Every rack or shelf on which registers and records are stored should be properly and legibly labelled to indicate the Section and year to which the record belongs.

149. *Removal of records from the record room.*—When any record is required from the general record room the Assistant concerned or the reference clerk will prepare requisition slip and take it to the record room.

150. *Initials to be taken in case of records sent out.*—When the required papers have been obtained, the requisition slip will be made over by the Assistant to the Record Keeper who is taken of having satisfied himself that the proper papers only have been taken out will initial the slip and enter it in the register of 'sent out' cases and will obtain the initials of the Assistant concerned and then make it over to the Bundle Lifter to be placed in the packet from which the file was removed. When the file taken out is returned to the record room, the requisition slip in the packet relating to it will be destroyed and the respective column of the register of sent out cases will be initialled by the Record Keeper.

151. *Requisition Book.*—The requisition book will be retained by the section till all the slips in the book are consumed when a new book will be obtained.

152. *Examination on the return of record.*—When the files are returned they should be examined to see that the papers are paged together in suitable and prescribed covers and that the files are stitched or bound carefully.

153. *Destruction of Records.*—The Record Keeper when putting papers for destruction shall mutilate all Court fee stamps affixed to them in such manner as to make it impossible to be used again. A note of every record destroyed shall be made at the time of the destruction in the general index of each case under the signatures of the Record Keeper.

154. *Disposal of weeded papers.*—All weeded documents and papers shall be disposed of in the following manner:—

(i) Confidential papers including notes and orders or administrative matters and stamps and court fee labels shall be torn into pieces and burnt in the presence of the Record Keeper.

(ii) All other papers including original documents and certified copies shall be torn across and then sold as waste paper.

Proceeds of the sale of the waste paper shall be credited to the Government.

155. *Arrangement of Record.*—Records shall be kept in accordance with the dates of disposal of the cases to which they relate. Records of different kinds of cases shall be kept separately. Records of execution cases relating to the same decree shall be kept together.

156. *Transmission of records to Record Room.*—At the beginning of every month, the complete records of all cases, appeals, applications and miscellaneous cases shall be made up into a bundle; and on or before the 25th day of the month they shall be transmitted to the record room.

157. *List of Contents for each bundle.*—Each bundle transmitted to the record room shall be accompanied by a list of records it contains prepared by the official incharge of the record and shall be placed at the top of the records before the bundle is closed.

158. *Bundles pending Examination.*—The Bundles of records as received by the Record Keeper shall be kept in racks set apart for the purpose pending examination.

159. *Record Keeper's examination of records received.*—As soon as may be after the bundles have been received, the Record Keeper himself or through his Assistant shall compare the papers in each record with the general index and satisfy himself:—

(i) that the papers in the record correspond with those entered therein;

(ii) that each file contains the papers properly appertaining to it;

(iii) that documents in the record bear no blots, erasures, or interlineations, but those noted as such in the general index;

(iv) that the papers bear the stamp entered in the general index;

(v) that the stamps have been duly cancelled;

(vi) that there is nothing suspicious in the appearance of the stamps;

(vii) that on each paper the number and aggregate value of the stamps on it have been recorded;

(viii) that all orders have been duly signed.

160. *Record Keepers' Certificate of correctness.*—If the record be found to be in order, the Record Keeper, or his Assistant shall record a certificate to that effect in the general index. If the record be found to be defective in any respect, he shall take steps to get the defects remedied.

161. *Examination when to be completed.*—The examination of the records of each Bundle received in the record room shall be completed within a month from the date of receipt.

CHAPTER XIV.

Process and Process Fees.

162. The fees chargeable for serving and executing process issued by the Board in exercise of its appellate jurisdiction shall be as follow:—

Article 1.

Notice of appeal or other notice to respondents, where the number of respondents to be served is not more than four, one fee

1 8 0

Where the number of such respondents is more than four, the fees above-mentioned shall be charged for the first four together with an additional fee of six annas for every respondent in excess of four; provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight.

Article 2.

Summonses to witnesses, where the number of witnesses to be served is not more than four one fee

1 8 0

Where the number of such witnesses is more than four, the fees above mentioned shall be charged for the first four together with an additional fee of annas six for every witness in excess of four.

Article 3.

Warrant of arrest in respect of each person to be arrested

2 0 0

Article 4.

Notice, proclamation or injunction or other Order not otherwise provided for, where the number to be served is not more than four, one fee

1 8 0

Where the number is more than four, the fee above mentioned shall be charged for the first four together with an additional fee of annas six for every process in excess of four, provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight.

(2) Sub-rule (1) shall, with necessary modification and adaptations, also apply to fees chargeable for, serving and execution processes in exercise of the Board, revisional jurisdiction.

163. *Where fees not chargeable.*—Notwithstanding anything contained in these rules, no fees shall be charged for—

(a) serving or executing any process issued by the court of its own motion, unless the Board orders that the process fee be paid by any party, or

(b) serving or executing any process issued in consequence of the adjournment of a case otherwise than at the instance of a party, or

(c) affixing a copy of notice, summons and proclamation or order in the Board's office or public office, or

(d) serving or execution in process in connection with a departmental enquiry.

164. *Process not to issue unless fee paid.*—No process in respect of which a fee is chargeable as above shall be issued unless the requisite fee has been paid.

165. *Fees to be paid in court fee stamps.*—Fees shall be paid in court fee stamps which shall be affixed to the application by which the Board is moved to issue the process or if there be no stay application to the memorandum of appeal or cross objection or the application initiating the proceeding.

Where an application is made for the issue of process the court fee paid on the application itself shall not be regarded as a part of such process fee.

166. *Service of process beyond Board's jurisdiction.*—Where the Board sends a process for service or execution to any court beyond its jurisdiction, it shall enforce thereon a certificate that the fee chargeable under the rules has been levied so that it may be served or executed free of further charge by the court to which it is sent.

Extraordinary Local expenses.—Where any extraordinary local expenses such as boat hire have to be incurred in service or execution of such process a sum sufficient to defray such expenses shall be paid in cash by the party concerned and sent by postal money order to the court to which the process is sent for service or execution.

167. *Fees for process to be issued by another court.*—Fees for processes to be issued by the court to which the commission is issued shall be payable in accordance with the rules of such court. They shall be paid in cash, by the party concerned and sent by Postal money order to that court.

168. *Refund of process fees when process not issued.*—Where in consequence of a compromise or for some other reason it becomes unnecessary to issue any process for which a process fee has been paid and such process has not been issued, one half of the process fee shall be refunded to the party concerned provided that an application for such a refund is made before the court fee stamps by which such process was made are destroyed. Save as provided above no fee paid in respect of process shall be refunded after the order directing the issue of such process has been made.

169. *Fees paid to be costs in the cause.*—Except as otherwise provided by these rules or ordered by the Board, all fees and charges paid in accordance with the preceding rule shall be costs in the cause; provided that no fee or charges which have been refunded or in respect of which a party might have an application obtained an order for refund shall be deemed to be fees or charges within the meaning of this rule.

CHAPTER XV.

Advocates' Clerks

170. *Registration*—No Advocates' clerks will be allowed to do any work in the Board unless he has been registered.

171. *Qualifications.*—No person shall be registered unless he—

(a) has passed the Middle Examination or an examination considered to be equivalent thereto;

(b) has worked for one year in the office of an Advocate under a registered clerk;

(c) has obtained:—

(i) a certificate from the registered clerk under whom he has worked countersigned by the Advocate concerned that he has a working knowledge of the Rules and practice of the Court and can maintain accounts; and

(ii) a certificate of honesty and good character from the Advocate in whose office he has worked.

172. *Disqualification.*—A person suffering from any contagious or infectious disease or who has been convicted of any offence involving moral turpitude or is an undischarged insolvent or has ever been declared a tout shall not be registered as Advocates' clerk.

173. *Act which a registered clerk may perform.*—A registered clerk shall not make any motion or advance an argument in Court. He may act in matters of a routine nature which do not require the personal attendance of the Advocate and may do the following acts, namely:—

- (1) receiving notice on behalf of his master;
- (2) taking back an appeal or application filed before the Registrar, if found defective or returned by him for presentation in court;
- (3) Presenting to the Registrar or the Deputy Registrar an application signed by his master for—

- (a) Copy of a document;
- (b) inspection of a record;
- (c) return of a document;
- (d) refund of a surplus balance;
- (e) transliteration or translation of a document or the verification of such transliteration or translation;
- (f) issue of process;
- (g) payment of incidental costs;
- (h) filing power of attorney in favour of his master.

(4) identifying persons personally known to him inspecting record or swearing affidavit.

174. *Canellation of registration.*—The Registrar may cancel the registration of any clerk—

- (i) if he has been convicted of any criminal offence involving moral turpitude or implying a defect of character; or
- (ii) if he is guilty of fraudulent or grossly improper conduct in the discharge of his professional duties; or
- (iii) if he has been declared a tout under the provisions of the Legal Practitioners Act, 1879; or
- (iv) if he has contracted any contagious or infectious disease; or
- (v) if he is found using the premises of the Board for private purposes such as preparation of documents unconnected with any case in which his master has been engaged;
- (vi) when the legal practitioner ceases to employ him; or
- (vii) for any other sufficient cause.

Such legal practitioner shall notify the fact to the Registrar and shall also briefly state the reason why he has ceased to employ him.

On receipt of such information, the name of the clerk shall be struck off.

175. *Acts which a registered clerk may not perform.*—Acts which the law or these rules require to be done by the party or by his recognised agent or by a legal practitioner on his behalf shall not be done by a recognised clerk.

176. *Receipt for money to be given.*—When a recognised clerk received any money from his master's employer he shall give to the employer a receipt for the amount received by him specifying exactly what the money was received for. The details shall be set out separately either on receipt itself or on a separate piece of paper attached to it.

177. *Application for registration.*—Every application for registration shall be made by a legal practitioner by a letter addressed to the Registrar in the following form:—

"I beg that (name).....son of.....aged
.....resident of.....may be registered as my
clerk"

"I have made due enquiries with regard to the character and qualifications of the candidate and certify that in my opinion he is a fit and proper person to be registered as my clerk under the rules made by the Board. I also certify that he will be employed bonafied in my service for clerical work."

178. *Fees for registration.*—A fee of Re 1/- for registration and an annual fee of Re 1/- for the renewal of the registration shall be payable in respect of each clerk. These fees shall be paid in the shape of court-fee stamps affixed to the application.

179. *Renewal of registration.*—An application for renewal of registration shall be made by the legal practitioner before the 15th January, each year.

180. *Register for registered clerk.*—A Register of all registered clerks shall be maintained in the prescribed form.

181. *Registered clerk not to act for others.*—No clerk registered as a clerk to one legal practitioner shall do business on behalf of other legal practitioner unless permitted to do so in writing on special occasions.

182. *Bar to the continuance of a registered clerk.*—No person shall be admitted or continued as registered clerk if he is or acts as a recognised agent either in the special or general power of attorney of any person other than the Legal Practitioner whose employee he is.

CHAPTER XVI

Selected and worth reporting cases

183. Decisions worth reporting shall be marked W. R. by the Bench concerned.

184. Such decision shall be entered in a register which will be maintained in the Judicial Section of the Board in the form given below:—

Serial No.	Case No.	Subject	Date of judgment	Remarks.
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185. No other than approved Law Reporters shall be entitled to receive worth reporting judgments of the Board on concessional rate.

186. The approved Law Reporters shall have to obtain certified copies of worth reporting judgments of the Board on payment of a concessional rate of /8/- per copy.

187. No reporter shall be entitled to publish a judgment which has not been marked W. R. unless he has obtained special permission of the Board of Revenue.

188. The cases not marked W. R. shall be open to inspection by the Law Reporters or their representatives on their request in writing on payment of the usual fees.

189. Copies granted to Law Reporters shall not be used for other purposes.

190. The Editors of the approved Law Reporters shall have to supply 5 copies of each issue free of cost to the Board.

191. The Editors of the approved Law Reporters shall carefully and correctly prepare Head notes on the judgments to be published. Equally good care shall be taken to avoid printing mistakes in the body of the judgment.

193. The Editor shall have to obtain copies of all W.R. judgments within three weeks of their delivery and publish them in the next issue of the Reporter.

192. In granting approval to the Law Reporters' publication, the Board of Revenue shall take into consideration the competency and the financial standing of the publishers.

194. The Board can take any number of Law Reporters on their approved list or may refuse or withdraw such permission for breach of any of the foregoing conditions or other sufficient cause.

PART (B)

CHAPTER I.

Organisation, Supervision and Control.

195. *Department, and Sections.*—The Board of Revenue comprises of—

- (a) the main office,
- (b) the Land Records Department, and
- (c) the Court of Wards Department.

196. *Sections with subject, Heads.*—The main office of the Board is divided into six sections. The subjects dealt with in each section are given below:—

(i) *Judicial Section.*

(1) Court work of the Board including references and reports submitted by the Subordinate Courts and Officers for orders and confirmation.

(2) Territorial jurisdiction of the Members of the Board.

(3) Writ petitions filed against the orders of the Board.

(4) Publication of worth reporting decisions of the Board.

(5) Amendment of Acts, compilation, drafting of Rules and Manuals.

(6) Special Board.

(7) Registration of Advocates' clerk.

(8) Enrolment, appointment and suspension of Revenue Agents and Revenue Petition Writers and complaint against them.

(ii) *Executive Section.*

(1) Appointment of Government Advocates and part-time lawyers to conduct cases in which Government interest is involved.

(2) Appointment of Additional Officers for disposal of case work in subordinate revenue courts.

(3) Conferment of Additional powers to Revenue Officers.

(4) Forms and Registers required for Revenue Courts and Revenue Officers.

(iii) *Record and Copying Section.*

(a) Judicial and non-judicial records.

(b) Copying of Judicial and non-judicial records.

(c) Search for documents and records.

(d) Typing.

(iv) *Revenue Section.*

(a) Taccavi.

(b) Settlement and Rent Rate Reports.

(c) Inspection Notes of Subordinate Officers.

(d) Boundaries.

(e) Periodical Reports, Returns and Statistics.

(f) Annual Administration Reports.

(g) Government references for Board's opinion.

(h) Land Revenue Demand, Collection and Balance Statements.

(i) Administrative appeals of Government Servants.

(j) Library.

(k) Complaints against Tehsildars, Naib Tehsildars Assistant Settlement Officers-cum-Assistant Record Officers and other subordinate Revenue staff.

(v) *Establishment Section.*

(a) Appointment, increment, promotion, leave, transfers and pensions of the Gazetted and non-gazetted staff.

(b) Maintenance of service books, Character Roll and personal files.

(c) Establishment of the non-ministerial staff.

(vi) *Accounts and Nazarat Section.*

(a) Budgets;

(b) Accounts;

(c) Cash;

(d) Stores;

(e) Stationery;

(f) Registers and forms;

(g) Contingent expenditure;

(h) Fees and Stamps;

(i) Receipt and Despatch.

197. *Departmental Numbers and Sectional Signs.*—The first letter of each Section shall be invariably quoted in all official correspondence going out of it; for example, a letter issued from the Judicial Section file should issue as BR/No. 1251/F. 1 (30) J/54. BR stands for Board of Revenue, 'F' is for File, 'J' is for subject head '30' stands for the file numbers, 'J' for Judicial and/54 for the year in which the file is opened.

198. *Change in subject Heads to be made with the approval of the Registrar.*—Any change in the subject heads dealt by each sec-

tion should be referred to the Registrar and no change should be made without the prior sanction of the Registrar.

199. *Procedure where a letter deals with several subjects.*—If any incoming letter deals with several subjects which may concern several Sections, the Section which is concerned with main subject will take it over and send copies or extracts to the other sections concerned.

200. *Registrar to be the Chief Controlling Authority—Supervision and Control.*—The Registrar of the Board is the Chief Controlling Officer and is assisted by the Deputy Registrar.

201. *Allocation of work to Deputy Registrar.*—The allocation of the work to the Deputy Registrar is a matter for settlement by the Registrar under the written orders of the Chairman.

202. *Office establishment.*—The distribution of the staff among the various sections may vary from time to time and will be fixed by office orders issued as occasion demands.

Inspection of the Sections.

203. *Periodical inspection.*—With a view to maintaining the efficiency, ensuring that the staff is kept fully occupied and preventing the accumulation of arrears, it is essential that each Section is periodically inspected by the Deputy Registrar and Superintendent concerned. All Sections shall be inspected twice in a year in June and December by the Deputy Registrar. In between these half yearly inspections, the Superintendents will make their inspections and see that the defects pointed out by the Deputy Registrar have been removed, arrears are not accumulating and that the rules prescribed in this manual or office orders issued from time to time are strictly enforced.

204. *Submission of inspection reports.*—The Superintendents will submit their inspection reports to the Deputy Registrar and these with his comments as well as his own half yearly inspection reports will be put up to the Registrar who will submit them with his comments to the Chairman.

205. *Registrar and Deputy Registrar to frequently visit the office.*—The Registrar and the Deputy Registrar should make it a point to visit each section as often as they can and check up its working. It will not be necessary for them to record formal inspection notes on such occasions. The object of such visits is to keep up the efficiency of the staff.

Superintendents.

206. *Superintendents and their qualifications.*—There shall be two Superintendents who shall be responsible for the general efficiency and the working of each section under them. The essential qualifications demanded of a Superintendent are intelligence, industry, capacity for work, ability to control his subordinates and to manage his section efficiently.

207. *Duties of the Superintendents.*—The Superintendent shall see that—

- (i) the work does not fall in arrears in any Section;
- (ii) each clerk is fully employed and is performing his work diligently and thoroughly.
- (iii) the files are properly maintained and kept well arranged and the rooms are kept neat and tidy;

The work of each clerk should be examined carefully and a note made of any good, bad, incomplete or unnecessary noting referring on the ephemeral roll of the clerk concerned.

208. *Registers to be maintained by the Superintendents.*—Each Superintendent shall maintain—

(i) Attendance register for the staff working under him in the prescribed form showing the names of clerks, the date of the month and column for casual leave balance. The clerk should initial in the column for the date to denote his presence. The register shall be available on the table of the Superintendent who should write C. L., P. L. and M. L. for casual privilege or medical leave as the case may be. A red line should be drawn against the name of any clerk in the date column who is late. In such case, the clerk shall have to note the time of his arrival over the red line. Three days late attendance will be debited as one day's casual leave.

(ii) A list of subject heads dealt with by each clerk duly approved by the Registrar.

(iii) A file register in the prescribed form of all the files that are opened in connection with the correspondence.

(iv) A file of standing orders and circulars issued from the Board from time to time with an index thereto.

(v) A note of immediate, urgent and important receipts requiring prompt action. He should remind the Assistant concerned if such papers are not submitted in time.

(vi) An ephemeral character roll of each clerk in the prescribed register. Commendatory or adverse entries should be recorded in this register, with one page allotted to each member of the staff. This register shall be put up before the Registrar at the time when the annual confidential reports are prepared. A fresh ephemeral roll register should be opened each year in the first week of January. The character roll pertaining to and year should be retained for a period of three years including the year to which it pertains, i. e. the roll of the previous year should be detained for two years.

(vii) An ephemeral note of the reminders received each day. He should check up how many cases pertaining to the reminders have been received by him from the office. Before leaving the office, he should send for the section incharge and enquire about the remaining reminder cases and see that they are put up next day without fail. To facilitate this, all remind-

ders received should be collected together sectionwise and placed separately with the Dak for report as to why the replies were not sent due to which reminders had been received.

(viii) A precedent register showing the important decisions of the Board under various heads.

209. *Supervision by the Superintendent.*—Each Superintendent shall inspect—

(i) the diaries of the dealing clerks of each Section in which they note the letters received by them for action;

(ii) weekly lists of pending papers, and

(iii) the papers on the tables of the clerks to see that the arrears are not allowed to accumulate and all letters of more than three days are submitted for orders.

210. *Periodical returns.*—He will take care that all statements, returns, and periodical reports from various offices are received and those required to be sent from the office are sent on due dates.

211. *Marking of Dak*—He should go through the Dak and arrange its distribution to each of the dealing clerks marking it as Immediate, Urgent or Important as the case may be.

212. *Correction of drafts and notes.*—He should correct the drafts and notes of the dealing clerks and guide them in preparing good drafts.

213. *Comparison of fair copies.*—He should compare and check the fair copies of drafts before they are issued and carry out the instructions for the indexing of files.

214. *Delegation of authority to the Superintendent.*—The Superintendents may be authorised by the Registrar:—

(i) to sign endorsements, forwarding notifications notices, amendments and other printed matters;

(ii) to sign routine letters to subordinate offices;

(iii) to issue reminders;

(iv) to ask the subordinate courts and offices to send enclosures if not sent through oversight.

CHAPTER II.

Office Discipline

Appointments and Promotions.

215. *First appointment by whom made.*—All first appointments to the Ministerial Services and to the Class IV Services shall be made by the Registrar subject to the Rules and instructions to be issued by the Chairman.

Punishments.

216. *Procedure for punishment and appeals.*—The punishment to be awarded for good and sufficient reasons have been mentioned in Rule 15 of the Rajasthan Civil Services (Classification Control and Appeal) Rules, 1950, and procedure for punishments has been laid down in section 16 of the said Rules.

General Discipline.

217. *Office hours.*—The prescribed office hours should be strictly observed. Punctuality in attendance is essential and the Superintendents are required to see that no breach takes place.

218. *Working beyond Office hours.*—Any clerk may be required to work beyond the prescribed office hours.

The Superintendents are authorised to call upon their assistants to do so on such occasions.

219. *Attendance on holiday.*—The Superintendent shall also detail a suitable compliment of clerks for the disposal of urgent or immediate work on Sundays or holidays, if any such occasion arises.

220. *Acquaintance with Manual.*—Each Member of the staff should be required to acquaint himself with the rules and procedure incorporated in this Manual.

221. *Disclosure of official matters prohibited.*—No official papers or information should be made public or communicated to the Press. Information acquired by the members of the staff in the course of their duties must be regarded as strictly secret. Any breach of this rule shall be severely dealt with.

222. *No files to be taken out of office.*—No clerk is permitted to work to his home.

Leave.

223. *Absence without leave.*—Absence without leave is an infringement of discipline, which unless satisfactorily explained, will be severely noticed. Leave must be applied for and sanctioned before it is taken. It is only in case of exceptional circumstances and of sudden and serious illness to be proved to the satisfaction of the sanctioning authority that the rule can be relaxed.

224. *Permission for leaving Headquarters.*—No member of the staff (including the Superintendent) can leave the station without permission of the Registrar.

225. *Casual leave.*—The maximum amount of casual leave allowed during the year is fifteen days. Sundays and other gazetted holidays may be prefixed and or suffixed to casual leave provided the total absence on casual leave together with Sundays or holidays does not exceed 10 days at a time. If Sundays and other holidays are interspersed the whole period must count as casual leave.

Casual leave will not originally be granted for more than 10 days at a time. It will not be combined with any other kind of leave.

226. *Medical Certificate when necessary.*—Members of the staff who absent themselves on medical grounds may be required to submit a medical certificate in support of absence even for a single day if the authority sanctioning the leave so desires.

227. *Application for Medical leave.*—An application for leave on medical certificate must be submitted in the prescribed form. If

the period does not exceed a month the authority competent to sanction leave may, in the case of non-gazetted ministerial staff and class IV servants, accept a certificate from a registered medical practitioner from the applicant's medical attendant, if he is authorised to issue such a certificate, or at his discretion secure a second medical opinion by requesting the District Medical Officer to have the applicant physically examined. In all cases of illness necessitating leave beyond one month, and in all cases of definite injury, medical opinion should be obtained from the District Medical Officer.

228. *Period for leave application.*—In ordinary circumstances six weeks' notice should be given when leave other than medical leave for a period exceeding one month is contemplated. In the case of leave for a period of one month or less, applications should be made in advance so as to allow sufficient time for sanctioning or rejecting them. Leave to the members of the staff working in a section will ordinarily be given in rotation and other things being equal, in accordance with priority of applications. Before any official leaves the station he must leave with the Superintendent of the Section his address at which he can be contacted or addressed during his absence from headquarters. This should also be done when any official proceeds on leave.

229. *Overstaying.*—On no account must leave be overstayed without permission. Such permission must be obtained well in advance of the date of expiration of the leave. The practice of extending leave on flimsy pretexts and of absence from duty without timely notice will be severely dealt with. 40405

230. *Unauthorised absence.*—Unauthorised absence from duty may be treated as a break in service.

Disciplinary action may be taken for breach of any of the above instructions.

231. *Divulging of information including the unauthorised use of official documents.*—No official shall take a copy of any writing in any official document which comes before him in his official capacity or to which he is allowed to have access without the previous express permission of the Registrar. This rule also includes taking copies of notes and orders on his own applications or memorials etc.

The record of such applications or memorials etc. must not be regarded as personal property of the person making them or retaining in his possession without authority.

No official shall make use of any unpublished record or letter for communication to the public press or to unauthorised persons, whether officials or not, without the special permission of the Registrar.

Submission of applications or representations.

232. *Representations.*—A member of the office establishment or class IV servant who wishes to raise a question about his own personal emoluments or other conditions of services should do so by a petition or representation and not by an unofficial letter or note. Representations should not be made jointly. In no case should

Government forms or papers be used for making personal representations or requests.

233. *Language of representation.*—In making applications, representations, appeals or applications, the language used should not be improper or offensive. Failure to observe the rules of discipline in this regard will be suitably dealt with.

234. *Appointment outside office.*—Application from the non-gazetted ministerial staff or class IV servants for appointments outside the office should be submitted to the Registrar who may forward if the exigencies of the Revenue Board service permit.

235. *Educational Classes.*—No member of the staff whether he is employed in a permanent or temporary capacity, should prosecute higher studies without obtaining previous permission of the Registrar.

236. *Membership of an Association.*—No member of the staff should be a member, representative or office bearers of any association representing or purporting to represent Government servants unless such association is recognised by the Rajasthan Government. Any one participating in any unrecognised associations or promoting or encouraging its activities shall be liable for disciplinary action.

CHAPTER III.

Conduct of Office Business.

237. *Form of Address.*—In all official correspondence, office notes and circulars, the Board of Revenue shall be spoken of in the plural.

All letters issued from and addressed to the Board shall be in the name of the Registrar, Board of Revenue for Rajasthan.

238. *Dak.*—All letters and communications addressed to the Board shall be opened in the presence of the Deputy Registrar except—

- (i) telegrams,
- (ii) covers marked Secret or Confidential,
- (iii) communication addressed to the officers by name.

Papers mentioned in (i) and (ii) should be immediately made over to the Registrar while those mentioned in (iii) should be put up to the Officer addressed.

239. *Registered letters, packets, etc.*—All registered letters and packets shall be received by the receipt clerk who shall sign the postal acknowledgments, money orders, cheques, money, stamps etc. should be made over to the Cashier at once who should sign for them in the margin of the communication. The sections concerned should see to it that money orders etc. are properly brought to account.

240. *Confidential letters.*—Confidential letters will be opened by the Registrar who will keep with himself papers which are strictly confidential and submit them to the Chairman for his perusal before they are registered.

Confidential letters will be entered in a register maintained for the purpose and will be distributed to the Superintendents concerned.

241. *Procedure for opening the Dak.*—On opening the Dak, all communications from Government shall be separated and put in an urgent pad and circulated to the Registrar for perusal.

242. *Sorting.*—The receipt Clerk will sort out all Dak including the Government orders and D.Os. received after perusal according to the branch to which it relates and put in separate pads.

243 The Deputy Registrar will go through each pad and initial all papers. While doing so, he may sort out any important papers which require immediate attention and put them in separate pads and send all the Dak to the Registrar.

244. D.O. letters and any other important communications to which the Registrar may desire to dictate replies himself be marked "Stenographer". Such letters after registration will be received by the clerk concerned, who after putting up necessary references, hand them over to the Stenographer and obtain his signatures in his diary. The Stenographer will then put up such letter before the Registrar without delay.

245. The Registrar will then return the Dak including all Government communication, D. Os. etc. to the Deputy Registrar, who shall cause them to be entered in the prescribed register. Separate registers will be maintained for each branch.

246. The Dak will then be sent to the Superintendent concerned who while going through it should also check—

- (i) the enclosures referred to the main letter,
- (ii) number of pages in the case of files,
- (iii) any wrong deliveries should be sent back at once to the office of origin.

247. He shall initial each letter and case mark it. Letters requiring early attention will be marked 'Urgent' 'Immediate' etc., as the case may be. He shall then arrange their distribution to the various dealing clerks.

248. The dealing clerk shall enter them in his diary as soon as they are received by him and then submit the diary with the letters to the Section Incharge, who will initial the diary and see that all the letters are entered in it.

249. The dealing clerk will keep a diary in which he shall note down the inward number, the name of the office of issue and leave space for the noting the disposal of that letter. If the letter is only to be filed, he should along with the entry of the letter in his diary also write down in the appropriate column 'filed' or 'no action'. When the letter is disposed of, he should put down the number and date of disposal in that column.

CHAPTER IV

Noting, Drafting and Submission.

250. *Dealing clerk to see records etc., received.*—As soon as the clerk who has to deal with a paper has received and registered the letters in his diary, he will see if all the records or valuables said to have been sent with it have been received. If there is any omission it should be noted and where necessary intimate to the sender of the communication at once.

251. *Referencing*.—It will be the responsibility of the clerk to trace with the help of registers and indexes any connected papers or precedents whether actually quoted in the receipt or not bearing on or likely to be required for the disposal of the case.

252. *Requisition from Record Room*.—If any file from the record is required, he should obtain it direct from the record.

253. *Marginal entry to a reference*.—Where a reference is made to official paper in the body of a note or of a receipt a marginal entry should be made with pencil showing the Serial No. of the paper if it be current or the serial number and number of the file in other cases.

254. *Linking of files to be avoided*.—Linking of files should be avoided as far as possible. If this cannot be avoided in any particular case, linked files should be referred to by the file number and not merely as linked or indicated by a lettered slip. By an intelligent selection of papers or arrangement of files it should be possible to consolidate the papers wherever practicable into one file.

255. *Flags*.—Flags must be used to indicate all reference made in the draft or note. Flags should not be pinned on the pages of a book, manual, gazette but place loose in it as a book mark. The pin point should be put behind the flag.

256. *Marginal reference to flags*.—Reference made to flags in the correspondence and the notes should be written neatly in pencil in the margin.

257. *Disposed file how to be flagged*.—Every disposed file to which reference is made in the notes must be flagged. Reference to previous note will be made by quoting the number of the paragraph and the page. Flags should be arranged in the alphabetical order and in such a way as to catch the eye readily. The previous papers put up with the case should be chronologically arranged, the latest being at the top and be earliest at the bottom of the file.

Noting.

258. *Object and contents of a note*.—The aim of a note should be to present in the most intelligible condensed and convenient form possible the facts of the case to be dealt with including its past history, the points for decision, useful precedents and the material provisions of the law or rules governing it, supported by full references to the current or previous file and to Acts or official publications enabling every fact stated to be verified and every authority cited to be consulted in original.

259. *Accuracy to be aimed at*.—Accuracy in regard to matters of fact and the law, rule or precedents applying to the points at issue, should be specially aimed at. The chief aim of an office note should be to supply the materials for forming an opinion on the question raised in a complete and convenient form so that the case may be disposed of as early as possible.

260. *Language of a note*.—All notes should be temperately written and should be free from personal remarks. If apparent errors in the communication under noting have to be pointed out

or to be criticised, special care must be taken to see that the observations are couched in respectful language.

261. *Brevity in notes.*—Care should be taken to avoid excessive or irrelevant noting. Brevity should be enforced and wherever possible, a draft reply should be substituted.

262. *Initials by the clerk and the Superintendent on a note.*—All notes should be neatly written or typed dated and initialled on the left hand margin by the dealing clerk and the Superintendent.

263. *Numbering of pages and paras.*—If a note runs in more than one para, the paras should be numbered and the pages of the notes should also be numbered.

264. *Precis to be avoided.*—A precis of correspondence should not be prepared except when it is ordered or is absolutely necessary.

265. *File numbers to be quoted on a note and division of note and orders into paras*—Office noting on any case should be continuous and each note should bear a separate para number. Even orders passed should bear the consecutive number. It should be tagged on the file cover when the file is in use and as soon as the case is disposed of the office noting should be placed in the file at the bottom. Office notes should bear the file number and each communication received should be brought on the office note giving its reference. No. and date and below it the office note should be written in continuous paragraphs. If office notes become bulky, a separate file should be opened.

266. *Procedure in case of a subject concerning more than one section.*—When a question under consideration concerns more than one section and cannot be conveniently divided for distinct treatment in the respective sections, the section actually dealing with the case should submit a simple consolidated note or draft prepared in consultation with the other section concerned. The joint note should be initialled by the Superintendent of the other section in token of its correctness in so far as his section is concerned.

Submission.

267. *Time for submission.*—Simple letters and other routine references should invariably be submitted on the day of receipt.

The maximum time allowed for the submission of ordinary letters or orders is three days (holidays excluded). A letter marked 'immediate' should be put up on the same day and the urgent letters by the next day. In immediate matters, a special responsibility rests with the Superintendent to see that no delay occurs in the disposal. Any such files should be submitted on the day of the receipt of the letter. If in any particular case, a longer period is necessary, the permission of the Superintendent should be obtained.

268. *Orders to be obtained in await cases.*—The submission of a paper must not be delayed. In case the file is not available or if the letter cannot be properly dealt with without the file, orders of the Superintendent must be taken to await.

269. *Personal communications in emergent cases.*—To facilitate the rapid passing on of cases, specially in emergent cases, use should be made of personal communications and discussions.

270. *Arrangement of papers before submission*.—The dealing clerk is responsible to see that before a file is submitted for orders, the papers required for its disposal are put up fully and correctly arranged. When a case is submitted for orders, it should not contain more than one note from the office, the Superintendent of the section, rewriting or modifying the note of the clerk if he cannot accept it.

271. *When a draft to accompany a note*.—In routine cases or in cases where the result is obvious, the draft shall accompany the note. In other cases, draft shall be submitted immediately on receipt of the orders if the case is urgent and within three days if it is ordinary. Before a draft is submitted, the Superintendent shall see that it correctly conveys the intention of the order on which it is based. All orders and decisions should be conveyed in courteous and considerate terms specially where proposals are returned down or requests refused.

272. *Fair copy of a draft*.—When a draft has been approved a fair copy of it must be prepared and draft examination submitted for signatures. When a draft has been amended the Superintendent should see that it is intelligible to the Typists.

273. *Approval of a draft*.—All drafts except those of routine nature should ordinarily be approved by the Registrar.

274. *Subject matter and reference to be quoted*.—The subject matter and reference should be given at the opening of the draft. The letters should, as far as possible, be self contained and the practice of transmitting heavy enclosures with covering letters should be avoided. No paper should accompany a letter which is not essential to a clear and precise understanding of the point at issue. At the same time, care should be taken to see that the information to be conveyed is not deficient or meagre. If an enclosure has at all to be sent, it should be clearly indicated with a diagonal stroke in the margin opposite the place detailed in the draft.

275. *Endorsement of letters*.—Letters concerning more than one department should officially be endorsed as a matter of course to the department concerned unless special orders to the contrary are given.

276. *Acknowledgment of letters from private persons*.—All letters and petitions from private persons should be promptly acknowledged unless they are in reply to communications addressed by the departments and call for no further action. If there is likely to be any delay in the disposal of such letters or petitions, a suitable interim acknowledgment should be sent.

277. *Correspondence with junior officers*.—Correspondence with junior officers on which it is not necessary to trouble the superior officers, should be conducted with Demi-official letters.

CHAPTER V

DESPATCH

278. *Sectionwise outward Registers to be maintained*.—A separate outward Register in the prescribed form shall be maintained sectionwise.

279. *Entries in the outward Register how to be made.*—In the outward Register, the dealing clerk will register the letter giving the case mark of the Section and the outward Serial No. of the Register and the date of issue. He should also see that the letter bears the signatures of the officer, the enclosures, if any, are attached with the letter and that true copies, if any, are duly attested.

280. *Despatch Register how to be maintained.*—The letter will then be sent along with the Section outward register to the Despatcher, who will give his signatures in the register in token of his having received it.

The despatcher will maintain a register in the prescribed form and all letters received by him shall be entered in it. He will also note down the value of stamps which have been affixed on the envelope despatched by post and maintain their proper account and record.

281. *Duty of a despatcher.*—The despatcher will collect all letters from different sections addressed to particular department and then put them together in an envelope noting the numbers of the letters from different sections placed in together in that envelope.

282. *Local Dak*—The local Dak shall be sent through a peon after necessary entries in the Peon Book.

283. *Letters whom to be despatched.*—Letters should be despatched on the date they are received by the despatcher. If this be not possible the date of the next working day on which the letter is despatched should be entered below the date of registration.

284. *Important documents etc. to be sent by registered post.*—Valuable papers, original records and other important documents should be sent by registered post A.D.

285. *Register for confidential communications.*—A register for secret and confidential communications should be separately maintained.

286. *Secret documents how despatched.*—Documents of a top secret and confidential nature should be despatched in sealed double covers. The innercover should be marked 'confidential' or 'Top Secret' while the outer cover should be addressed to the officer by name, without any indication as to its secrecy.

287. *Postal receipts to be posted in register.*—The Despatcher should paste in the register all receipts for parcels, and for registered and insured covers. He is expected to have full knowledge about the Post Office timings, postal rates and location of other local offices.

288. *Use of envelope and addressing.*—The Despatcher should be careful not to use large envelopes unnecessarily for small letters and should properly frank and legibly write out the address. Care should be taken to use the exact value of the stamps required.

289. *Examination of Peon Book.*—After the return of the Peon Book each day, the Despatcher should satisfy himself that the initials of the receivers have been taken.

CHAPTER VI

PREPARATION OF THE FILE.

290. *Arrangement of files.*—All papers are to be kept in flat files with a board at the bottom furnished with flaps and tape fasteners.

291. *File system.*—Files are formed under the file system, which is an arrangement of papers by subjects. The initial letter on any subject receives a 'file number' which is maintained for the entire correspondence (the file) on that subject. File numbers run in annual series, e. g., 2/1948, 6/1948, 297/1948 and so on. The papers received and issued on each file and again numbered as S. Nos. 1, 2, 3, etc. in the order of receipt and issue, the earliest paper in the file being 'Serial No. 1.' The files should run bookwise. The files should not be closed at the end of the year but may continue until the action is completed or the file becomes too bulky.

292. *Composition of a file.*—A file consists of two parts:—

(a) Notes which includes the subject headings of the series of correspondence on a particular subject, and orders passed on them. The first page of the note should contain the number of file to which it belongs so that if the Notes' portion is detached in-transit, etc., it can easily be put on the right file. This is most important and the Superintendent should impress this on all the dealing clerks.

(b) 'Correspondence' or current file which comprises of letters received and issued on a particular subject, including letters for mere persual or information. The letter or reference under consideration (P.U.C.) should invariably be attached with a Paper under Consideration (P.U.C.) slip.

293. *Serial Number.*—Each letter immediately on being placed with the file must be given a serial number. All the papers in the file should be paged, separate series of pages being given to the notes.

294. *Opening of fresh files.*—A file may be opened either on the basis of a fresh letter or of a note. Before starting a file, the clerk, concerned will ascertain from the file register or other indices that there does not already exist a file on the subject. When in doubt, he should consult the Superintendent. The file heading or the subject matter of the file should be accurate and concise. When a certain series of correspondence on a particular matter is closed, the file should also be closed, unless the subject of the file is such that it will constantly be required in the section for reference purposes.

295. *P.U.C. to be flagged.*—All letters under reply should be flagged 'P.U.C.'. In case there are more than one letter to be simultaneously dealt with in connection with any case, they should be marked P.U.C. I, P.U.C. II and so on.

296. *Arrangement of papers in a file.*—The arrangement of papers in a file under submission should be as follows from the top.

(i) Notes.

(ii) Drafts.

(iii) Correspondence with P.U.C. facing.

(iv) Record or reference files.

297. *Books, etc., how to be placed.*—Books, Acts and printed publications should be placed at the top of the file. All files which are bulky should be tied with the tap. Labels of early, urgent, immediate may be placed on the top of a file as the disposal demands.

298. *Reminders.*—Reminders and replies to reminders issued or received should not be registered but noted on the original letter. Reminders should be destroyed when the final reply is received or issued and replies to reminders if merely formal should be destroyed when the final reply to the original letter is issued or received.

CHAPTER VII

Indexing and Consigning of Files Records

299. *Marking of a file.*—When orders have been passed in a particular case, the Superintendent should see whether it should be—

(a) finally closed, indexed, and sent to the record room; or

(b) closed and kept in the Section, or

(c) kept in “Awaits” without indexing.

300. *Examination of the file.*—Before taking action as above, the Superintendent should satisfy himself that all the papers in the file are complete and that no points requiring attention have been overlooked.

301. *Closed and Await Files.*—Closed files are those in which further correspondence is not expected. Closed but to be kept in the Section are those in which further correspondence may be expected. ‘Await’ cases are those which are kept in suspense pending final disposal. The following are the kinds of cases which should be classified as ‘Await’:—

1. awaiting a reply,

2. awaiting information or report,

3. awaiting other developments.

302. In deciding whether a case should be indexed or kept in await, the Superintendent should be guided by the stage which the case has reached. If final orders have been issued, the case should be indexed. If replies are incomplete and consideration in the case has been postponed pending their completion, the indexing of the case should be deferred.

303. *Period for Await Cases.*—Cases are generally kept in ‘Awaits’ for a period of one month. Each clerk should examine the ‘Await’ cases not less than once a fortnight. Superintendents should check the ‘await’ at intervals of one month. An await cases’ register should be maintained for every Section and should be circulated to the dealing clerks every fortnight for signature in token of their having checked their await cases.

304. *Completion of file register and file index.*—As soon as the file is closed, the entries in the register of files relating to it shall be completed and it shall be entered in the file index in the prescribed form.

305. *File index how to be maintained*.—In the file index, a few pages shall be allotted to each head or correspondence and to facilitate reference the right hand margin of the file indexed shall be so out and numbered as to show where the entries under each head of correspondence are to be found. Each file when closed shall contain an index in which the number, date and subject shall be entered at the time when it is filed.

306. *Classification of file for retention or destruction*.—When a file is completed and before it is consigned to the record room, the Superintendent shall give a classification as to whether it is to be retained permanently or destroyed. In the latter case, he shall also give the date when it is to be destroyed. For this purpose, the following classification shall be made:—

(i) File containing important documents for general instructions or orders of permanent or lasting importance.

(ii) Papers which are sufficient important and which may be required for reference after disposal.

(iii) Routine records of ephemeral nature.

Files of Group I shall be retained permanently. Files of Group II will be retained ordinarily for a period of 10 years unless ordered otherwise. Files of Group III may be destroyed after 5 years.

307. *'O' bundles*.—Other cases which are absolutely routine or quite useless for purposes of future reference should be kept in file 'O' bundles arranged monthwise and destroyed after a period of six months.

308. *Affixing of labels showing for period of retention*.—The Superintendent shall fix a label showing group 1 and in case of groups 2 and 3, the date and the year of destruction. The files will then be consigned to record after obtaining the signatures of record keeper in the file register.

CHAPTER VIII.

Establishment Section.

309. *Duties of Establishment Incharges*.—The duties of the Establishment Incharge are:—

(i) to deal with leave applications to put up proposals for arrangements in place of those proceeding on leave and to maintain leave accounts and Service Books of the ministerial establishment;

(ii) to prepare increment papers, put up pension papers or retiring staff and submit notes regarding those attaining the age of superannuation;

(iii) to submit statement and reports regarding new demands in respect of establishment and to deal with such other references as may from time to time be entrusted to him.

310. *Period for submission of leave applications*.—Leave applications for a period of less than 2 weeks must be submitted within 24 hours on the receipt and those for longer period within three days of its receipt.

Intimation of the sanction of leave should be sent to the person applying for it through the Superintendent concerned within two days of the order.

311. *Leave Register*.—A register in the prescribed form shall be maintained and particulars of the leave applied for sanctioned or refused shall be entered therein.

312. *Casual Leave account*.—Casual leave accounts will be maintained, separately.

313. *List of staff attaining superannuation age*.—Report regarding the particulars of the staff attaining superannuation age should be prepared six months before the date of retirement.

314. *Gradation List*.—A gradation list showing the names and other particulars of officials in each grade shall be maintained by the Superintendent.

CHAPTER IX

Accounts and Nazarat Section.

315. *Security by Accountant, Cashier and Nazir*.—The accountant, Cashier, Nazir or any Ministerial Officer who by reason of his office is entrusted with the receipt, custody or control of money, security for money or other property shall give security in the prescribed form for the due discharge of his trust of his office and for the due accounts of all moneys, securities for moneys or other property which shall come into his possession by reason of his office.

Security shall in no case be dispensed with except where exemption may be made under special or general orders of Government. Exemption cannot be sought on the ground that a person is an apprentice, outsider or other temporary incumbent, and he shall be required to furnish security or execute a personal bond as may be necessary.

316. Instructions given in Chapter XVIII of the General Financial and Accounts Rules shall apply to all securities to be taken from officials entrusted with cash or stores.

317. The security taken from the Government servant shall be in one of the forms specified in Rule 419 of the General Financial and Accounts Rules.

318. Securities lodged or deposits may be returned after six months from the date of vacation of office by the official but the bonds shall be retained permanently or until it is certain that there is no necessity for keeping them any longer.

319. The value and adequacy of a security shall be verified as soon as it is furnished. If the verification is likely to take time and the appointment or promotion cannot be delayed, a personal bond with sureties, shall be obtained but the same shall be discharged when the original security has been finally verified.

320. A register of securities in the prescribed form shall be kept. The register shall contain full particulars as to the pecuniary

responsibility of the public Accountant and the sureties and the nature and value of the security offered.

321 In the first week of each calander year, the Registrar shall enquire into the sufficiency of security given by each public accountant in the office and where it appears to have deteriorated from any cause will require fresh or additional security to be given.

The Accountant, Cashier and the Nazir shall be required to furnish a security for Rs. 1000/- and Rs. 2000/- respectively.

Accounts.—The work between the Cashier and the Accountant shall be distributed as under:—

Cashier:—

- (i) Preparation of pay bills of Establishment.
- (ii) Preparation of contingent bills.
- (iii) Maintenance of cash books.
- (iv) Maintenance of Register of contingency.
- (v) Maintenance of Register of salary T.A. and advance bills.
- (vi) Maintenance of acquaintance roll.
- (vii) Maintenance of Register of receipts and deposits.
- (viii) Maintenance of Register of repayments of deposits.
- (ix) Maintenance of Register of money orders received.
- (x) Maintenance of Register of Government receipts.
- (xi) Maintenance of Register of petty receipts and their payment.
- (xii) Maintenance of Register of disbursement of salaries and maintenance of their accounts.

Accountant:—

- (i) Preparation of Boards' Budget estimates and maintenance of expenditure register and preparation of supplementary demands.
- (ii) Maintenance of register of—
 - (a) Contingent accounts and verification of the same from the Accounts Office.
 - (b) Correspondence dealing with his section.

The Accountant shall be responsible for the proper maintenance of all registers, and see that the amount drawn are ordinarily disposed of on the same day. The amount required to be deposited in the treasury is done without delay. The Accountant or Cashier is forbidden to keep the Government money in his personal possession or to mix it with his private money.

The Accountant shall see that days receipts and expenditure of all kinds are daily entered in the cash book and it is closed daily. The Accountant will make contingent payments and enter the transactions in the register maintained for the purpose, and from time to time as may be convenient, prepare contingent bills for the recoupment of imprest.

Payment or receipt of money shall be made upto a time to be fixed by the Registrar and the closing balance should be struck daily. The closing balance should be checked with cash in hand every day.

The cash book as well as other registers in which transactions have been made will be checked and initialled by the Deputy Registrar daily.

A list of undisbursed and undisposed of amounts received from other sources and on account of the imprest money at the end of each month should be prepared and kept on record by the Accountant in the first week of the following month.

322. Travelling allowance bills of the staff shall be prepared by the official concerned except for Class IV Servants whose T.A. bills will be prepared by the cashier.

323 The following registers shall be maintained:—

1. Cash Register.
2. Register of Contingent Charges.
3. Register of T.A. Salary bills sent to A.G.
4. Register of purchase of type-writers and duplicators.
5. Register of securities.
6. Register of money orders received.
7. Stock Register of service Postage Stamps.
8. Acquittance Roll.
9. Register of repayment of deposits.
10. Register of receipt of deposits.
11. Register of revenue receipts.

324. The following are the heads in which the money received and paid shall be classified:—

(i) Deposits:—

(a) Revenue court deposits including:—

(i) Sums paid under orders of the Court *e.g.* travelling expenses of witnesses.

(ii) Incidental charges of Commissioners, arbitrators, postage and registration fees.

(iii) Cost of publication of proclamation and order.

(b) Revenue Receipts including—

(1) Budget heads.

(2) Sale proceeds of old stores.

(3) Court fees reduced in cash.

(4) Fees and fines including stamp duty and penalties

(c) Departmental Cash including—

(1) Salary of establishment, travelling allowances.

(2) Contingencies.

All transactions shall be classified in one of the above heads and entries made in relevant registers. Instructions regarding receipt and withdrawal of money preparation of bills, deposit accounts etc. as given in the General Financial and Accounts Rules should be followed.

325. *Nazarat*.—Duties in the *Nazarat*—

- (i) indenting of stationery for the Board's Office,
- (ii) maintenance of accounts of issue and stock,
- (iii) maintenance of stock and stores and repairs of furniture,
- (iv) indenting of forms for the Board's Office and their accounts,
- (v) maintenance of service books of class 4th servants their leave account and attendance register,
- (vi) repairs and maintenance of Boards' type-writers and duplicators,
- (vii) supply of uniforms to Class Fourth Servants,
- (viii) supervision of the sanitation and cleaning of the building and arrangement for its lighting, hot and cold weather arrangements,
- (ix) maintenance of a register of service postage stamps and its issue,
- (x) despatch.

326. The following registers shall be maintained by the Nazir:—

- 1. Attendance register for 4th Class Servants,
- 2. Stock register for furniture and other articles of stationery and stores,
- 3. Register of repairs of furniture.
- 4. Register of stationery issued.
- 5. Register of printed forms.
- 6. Register of stationery received.
- 7. Register of purchase of type-writers and duplicators.
- 8. Register of despatch.
- 9. Register of Bicycles.
- 10. Peons Dak Book.

327. Annual indents of stationery and printed forms will be prepared by the Nazir and sent by the Second week of April to the Superintendent, Printing and Stationery. He will keep the accounts of stock and issues of stationery and printed forms in prescribed register and shall be responsible for the safe custody of all articles.

Stationery shall be issued according to a prescribed schedule approved by the Deputy Registrar.

When stationery in excess of the scale is demanded he should obtain specific sanction therefor.

328. All furniture and articles of stores will be entered in the register prescribed for it. Nazir will prepare a list of articles furniture in each room. This list will be hung in the respective rooms and verified six monthly. Duplicate of these lists will be kept by the Nazir in a file.

329. All articles of furniture belonging to the Board should bear the letters 'BR' succeeded by the Serial number of the article. The list to be hung in each rooms will show the serial numbers of the

articles with which the room is furnished. The account of repairs of the furniture and other articles of stores shall be maintained in the register of repairs. The Nazir will arrange for the liveries for the Class 4th Servants and maintain its account. When a Class IV Servant is suspended or discharged or removed or dismissed within a year of the issue of livery, it shall be taken from him by the Nazir.

330. The Superintendent incharge of the Nazarat Section shall inspect the work of the Nazir and check and verify the furniture and stores articles twice a year. The Deputy Registrar will do this once a year atleast.

331. All unserviceable stock will be sold by public auction after obtaining orders of the Registrar.

CHAPTER X

Library

332. *General Register of books and periodicals.*—(1) All books in the library shall be entered in the General Register of books and also in the classified catalogue.

(2) Periodicals (e.g. Government Gazette or all India Reporter) which are eventually bound in volumes of a form different from that in which they are first received shall in the first instance be entered in the Register of Periodicals. They shall be taken over in the General Register of Books and the Classified Catalogue when they are bound in the proper form.

333. *Classification and arrangement of Books.*—Books shall be classified in the Catalogue and arranged in the library, in the manner following:—

I. Collection of Acts, Ordinances and Regulations—

(i) Central.

(ii) Rajasthan.

(iii) Other States.

II. Special Acts, when printed separately.

III. Commentaries on Acts.

IV. Law Treatises.

V. Departmental Codes, Guides, Manuals and Circulars—

(i) Judicial.

(ii) Revenue.

(iii) Finance and Accounts.

(iv) Miscellaneous.

VI. Law Reports.

Note:—There shall be a separate sub-head each separate series of law reports, e.g. A.I.R.L.C., A.I.R. Allahabad, A.I.R. Bombay, R.D. R.L.W. etc.

VII. Digests.

Note:—There shall be a separate sub-head for each separate series of digests.

VIII. Periodicals.

IX. Administration Reports:—

- (i) India.
- (ii) Rajasthan.
- (iii) Other States.
- (iv) Miscellaneous Departments.

X. Dictionaries, Glossaries, Lists and Directories.

XI. Miscellaneous.

Any additions or alterations to the heads or sub-heads given above may be made only with the sanction of the Registrar.

334. *Loss of Books.*—When the loss of any book is reported, the Registrar will after making necessary enquiry decide whether the cost of the missing books should be recovered and if so from whom.

335. *Binding of Books.*—Valuable books may, with the previous sanction of the Registrar sent to be bound at the Government Press or elsewhere as may be necessary.

336. *Gazettes.*—Gazettes shall be regularly filed and carefully bound into annual volumes.

337. *Books etc. not to be weeded.*—The following books and publications shall not be weeded without reference to the Registrar.

- (1) Collections of Acts, Ordinances and Regulations.
- (2) Commentaries on Acts.
- (3) Law Treatises.
- (4) Latest editions of the Manual of Government orders Book Circulars of the Board of Revenue, Service Rules, Treasury Manual, Financial Hand Books, Civil Account Code, Standing Orders of the Accountant General and of the directions and Manuals (including circulars) of the various departments; also single copies of suspended editions of the above.
- (5) Law Reports.
- (6) Digests.
- (7) Government Gazettes.
- (8) Revenue administration reports, Census Reports and appendices.

338. *Publication which may be weeded.*—The following publications may be weeded out:—

1. Duplicate copies of superseded editions of publications mentioned above.
2. Superseded editions of village directories histories of gazetted officers and civil and army lists.

339. *Sale of Books etc.*—Non-official publications and official publications which have been priced for sale to the Public should, if it is decided to weed them under these instructions, be sold to the best advantage. All such publications shall, prior to sale, be stamped inside the cover "Sold by order of the Board" For this purpose a special stamp will be supplied, of the Registrar.

340. *Duties of a Librarian.*—It shall be the duty of the Librarian—

- (1) to stamp the Seal of the Board of Revenue on the title page, the tenth page and the last page of each book and enter in it the number assigned to the book;
- (2) to check the catalogue at the commencement of each year;
- (3) to issue books from the library in accordance with the rule following, and to see that no books are issued otherwise;
- (4) to report the loss of any book from the library as soon as discovered.

341. *Receipts for books taken out.*—When any officer requires a book from the library he shall send a receipt for it on a slip of paper, which shall be returned to him when the book is returned to the Library.

The Librarian shall enter in a book to be kept for that purpose—

- (1) the name and number of each book removed from the Library on that day and not returned before the close of the day;
- (2) the date when it was removed;
- (3) the name of the person who received it; and
- (4) the date when such book is returned to the Library.

Every reasonable facility is to be afforded to Government counsel to consult the Law Books in the Board's Library.

342. *Check of books.*—The Librarian will submit to the Registrar a quarterly list in January, April, July and October, showing the books which have been out of the Library for more than three months. He will then take necessary steps to secure the return of the books unless there is good reason for their retention by the borrower.

CHAPTER XI

RULES PROVIDING AGAINST OCCURRENCE OF FIRE

343. With a view to better supervision of the Boards' building and the Records rooms, a responsible official shall be nominated by the Registrar to remain present until the building is closed in the night. This official will personally inspect each room as he closes it and will put the keys in the place provided for their custody. In the case of each room, care must be taken that every almirah etc. is closed down and that no papers are lying about. The door of each room will be opened each morning by a Chowkidar who will make a round of the rooms and report any unusual happening to the Registrar.

344. The Record room will invariably be closed not later than 5 p.m. each day. The record keeper will go through each room and check and take care that no records are lying about or papers scattered on the floor of the record room. The record room staff is responsible that at the close of each day all papers are gathe-

red and put into a safe place. No smoking of any kind' is in any case to be permitted in any part of the record room. Provision should be made for either (i) a sufficient 'gharas' either of water or sand in some portion of the Boards building which can easily be reached of (ii) for a proper supply of Minimax Fire extinguishers. These may be so placed that they can be easily taken out and used for extinguishing any fire.

345. There shall be a Chowkidar for Court duty for the night who shall see that all rooms are properly and securely closed.

346. On the occurrence of a fire a telephone message shall be sent immediately to the Fire Brigade and the nearest Police Station and in case the Office is closed information shall be sent by the Chowkidar to the Registrar Deputy Registrar or any other Official of the Board living nearest to the Board's premises.

347. The Registrar, Deputy Registrar or any other official shall on getting the message proceed immediately to the building of the Board and take all necessary steps to bring the fire under control. They shall also send the information to the Chairman.

CHAPTER XII (A)

LIST OF REGISTERED PRESCRIBED.

Serial No.	Description	Reference to para.
JUDICIAL		
1.	Register for all defective cases.	
2.	Register of appeals from decrees.	
3.	Register of appeals from orders.	
4.	Register of revisions.	
5.	Register of applications for review of judgments.	
6.	Register of Revenue Reference	
7.	Register of Miscellaneous Revenue Cases.	
8.	Register for disposal of (i) appeals from decrees (ii) appeals from orders (iii) applications for reviews (iv) revenue references.	
9.	Register for miscellaneous applications relating to pending cases.	
10.	Memorandum book of dates for cases.	
11.	Register of requisitions for record.	
12.	Register of records taken by the presiding officers to their residence.	
13.	Register of application for inspection.	
14.	Register of applications for copies.	
15.	Register of records handed over to the Copyist.	
16.	Register of sanctioned arrangements of copying charges for maps and plans etc.	
17.	Register of copies disposed off.	
18.	Register of records requisitioned and return.	
19.	Register of returned documents.	
20.	Register of worth reporting cases.	
LIBRARY		
21.	General Register of books.	

22. Register of periodicals received.
23. Classified catalogue of books.
24. Register of books issued from Library.

JUDICIAL-EXECUTIVE BRANCH

25. Register for enrolment of Revenue Agents.
26. Register for enrolment of Petition Writers.
27. Register of registered 'Advocates' clerks.

GENERAL REGISTERS

28. Register for receipt of confidential letters.
29. Register for despatch of confidential letters.
30. Receipt or Inward Register.
31. Outward Register.
32. Despatch Register.
33. File Register.
34. Precedent Register.
35. Daily Diary.
36. File Index.

NAZARAT AND ACCOUNTS.

37. Cash Register.
38. Register of Contingent charges.
39. Register of T.A. Salary bills sent to A.G.
40. Register of purchase of typewriters and duplicators.
41. Register of Bicycles.
42. Register of Securities.
43. Register of Money Orders received.
44. Stock Register of Service Postage Stamps.
45. Acquittance Roll.
46. Register of Stationery received.
47. Register of Stationery issued.
48. Register of printed forms.
49. Stock Book of furniture and other articles and stores.
50. Register of repairs.
51. Register of liveries.
52. Dak Book or Peon Book.
53. Register of repayment of deposits.
54. Register of receipt of deposits.
55. Register of Revenue Receipts.

ESTABLISHMENT

56. Register of Casual leave.
57. Register of leave applications refused or sanctioned.
58. Gradation list register.
59. Attendance register.

RECORDS

60. Register for records received.
61. Receipt book in which cases are consigned and entered.
62. Register of handing over charge.
63. Register of records sent out and received in the record room.
64. Requisition Book.

65. General Index.
66. Register of circulars.
67. Register of weeding.

LIST OF FORMS

1. Receipt Slip,
2. Requisition for the record.
3. Notice for appeal.
4. Notice for application.
5. Notice for revision.
6. Order Sheet.
7. General Index.
8. Fly leaf.
9. Cause list.
10. Form of decree.
11. Application for inspection.
12. Application for copying.
13. Notice when copies are ready.
14. Form of application by a petition writer.
15. Form of license issued to a petition writer.
16. Form of application for enrolment of Revenue Agent.
17. Form of application for registration of Advocates; clerk.
18. Requisition slips.
19. Form of labels.
20. List of papers consigned to record.
21. List of pending papers.
22. Monthly list of unanswered Government reference and other orders.
23. Reminders.
24. Office note.
25. Ephemeral Character roll.
26. Ephemeral note of reminders.
27. Await case roster.
28. List of Furniture.

CHAPTER XII (B).

The following return statements and reports shall be submitted to the Registrar.

1. Weekly return of arrears. This should be submitted in the prescribed form every Monday and should include all receipts, received up to the evening of the preceding Friday.
2. Fortnightly statements of cases submitted more than 15 days before and not returned.
3. Return of pending cases received from the Government which remained unanswered for one month.
4. Progress report for the preceding month showing:—
 - (a) No. of appeals, applications etc. received.
 - (b) Checked and found correct.
 - (c) Checked and found defective and proceedings taken to get them remained.

(d) Number not checked.

5. Statement showing the state of Judicial work in the court of each Member.

6. Statement of suspended employees.

7. Statement of pension cases.

8. Statement of recruitment of the Schedule Castes and Tribes

9. Monthly statement showing vacancies and temporary appointments.

10. Demand, Collection and Balance statement.

11. Demand, Collection and Balance of Rekhchakries.

12. Demand, Collection and balance of recoveries.

13. Number of cases due for consignment to the Record Room.

14. Statement showing the state of copying and inspection work giving the number of applications received, disposed off and the balance and their value.

15. Statement showing the processes and requisitions issued and the compliance reports received before the date of hearing..... after the date of hearing.

N.B.—These statements will be submitted in the first week of the month following.

16. Annual return of non-gazetted employees.

17. Annual return showing under each head the number of cases pending at the beginning of the year, the number instituted during the year, total for disposal, number disposed off and number of cases pending at the close of the year.

18. Administrative Reports.

APPENDIX A.

Rules for the Qualifications, Admission and Enrolment of Petition writers in the Revenue Courts of Rajasthan.

WHEREAS it is expedient to consolidate and amend the rules relating to qualifications, admission and enrolment of petition-writers in the Revenue Courts of the Government of Rajasthan;

NOW, THEREFORE, in exercise of the power conferred by section 18 of the Rajasthan Board of Revenue Ordinance, 1949 (No. XXII of 1949), the Chairman, Board of Revenue for Rajasthan is pleased to make and promulgate the following rules for the qualifications, admission and enrolment of petition-writers in the Revenue Courts of the Government of Rajasthan:—

1. (a) These rules may be called “the Rules for the Qualifications, Admission and Enrolment of Petition-writers in the Revenue Courts of Rajasthan, 1951”.

(b) These rules shall apply to the whole of the Rajasthan.

(c) These rules shall come into force from the date of their publication in the Rajasthan Gazette.

2. All rules and orders etc. hitherto in force, in the various covenanting States relating to petition-writers are hereby repealed

All persons admitted as petition-writers, names enrolled, certificates issued, sanctions given and orders passed under any rule, regulation, law, order or circular etc. of any Covenanting State of the Rajasthan hitherto in force and hereby repealed shall be deemed to have been respectively admitted enrolled, issued, given and passed under these rules.

3. In these rules, unless there be something repugnant in the subject or context,—

- (i) "Petition" means a document written for the purpose of being presented to any Revenue Court as such and includes a plaint, written statement, affidavit, memorandum of appeal, revision or review;
- (ii) "To practise as a petition-writer" means to write petitions, as defined above, for payment and includes the writing of a single petition for payment.

A petition-writer is said to practise in a Revenue Court when he writes petitions for the purpose of being presented to that court or office.

"Revenue Courts" means all courts (other than Civil and Criminal Courts) trying suits, hearing applications or conducting enquiries under any law for the time being in force relating to land, land, land revenue, rent or land holders and their tenants or agents.

4. No person shall practise as a petition-writer in the Revenue Courts of Rajasthan unless he has been duly licensed under these rules;

Provided—

- (1) that any person licensed under any rules or orders etc. hitherto in force shall be deemed to have been licensed under these rules;
- (2) that these rules shall not apply to any Legal Practitioner in respect of a petition written for presentation to a Revenue Court in which he is qualified to practise, whether such petition is written by himself or his clerk on his behalf, provided that it is signed by him.

5. Subject to the proviso contained in the above rule any Revenue Court referred to in rule 3 above may reject any petition which has been written for a petitioner by a person who is not a licensed petition writer or an authorised agent.

6. No petition shall be rejected if it has been written properly by the petitioner himself.

7. Every petition shall show clearly the name and designation of the person by whom it has been scribed and the court may refuse to accept a petition which does not comply with this direction

8. Subject to the proviso contained in these rules no person shall be allowed to practise as a petition-writer unless he has previously passed the examination hereinafter provided.

9. An examination of candidates for admission as petition-writers will be held annually at such places and on such dates as

the Chairman, Board of Revenue for Rajasthan may appoint or notify in the Rajasthan Gazette

10. The Chairman, Board of Revenue for Rajasthan shall have power to appoint examiners and to make necessary arrangements for conducting the examination.

11. Any person who wishes to be admitted to practise as a petition-writer in any Revenue Court of the Rajasthan shall, two months at least before the day fixed for holding the examination hereinafter prescribed, submit to the Registrar of the Board of Revenue for Rajasthan an application in form Appendix I together with the following Certificates and particulars:—

- (a) that the applicant is a bona fide resident of India,
- (b) that he is of good moral character,
- (c) that he is over twenty one years of age, and
- (d) that he has passed the Vernacular Middle Examination or any equivalent examination in Hindi, of any other Educational Institution recognised by the Government of India.

12. The application for examination must be accompanied by a fee of Rs. 10/- either in cash or by Money Order failing which no application will be considered.

13. On receipt of the particulars and prescribed fee, the Registrar of the Board of Revenue, if satisfied with the truth of the matters aforesaid, shall get the name of the applicant registered in a register to be kept for the purpose and will issue an Admission Card to the candidate regarding his eligibility to appear at the examination at a particular centre on the dates fixed. If the Registrar is not satisfied with the truth of the matter certified, after such enquiry as he may deem necessary, he shall reject the application and inform the applicant.

14. The examination shall be held in the following subjects or such other subjects as the Chairman, Board of Revenue for Rajasthan, may from time to time fix and notify in the Rajasthan Gazette:—

- (1) *Petition-writing*.—All sorts of petitions pertaining to revenue matters and Revenue Courts.
- (2) *Legal*.—The candidates are expected to have adequate knowledge of—
 - (a) the rules for the procedure of the Revenue Courts;
 - (b) the Tenancy and L. R. Acts;
 - (c) Ordinances, circulars and regulations regarding Revenue Courts and matters;
 - (d) Stamp and Court Fees Acts;
 - (e) Law of Limitation.
- (3) General Knowledge.

15. There will be three papers of 100 marks each and candidates who will secure 40% of the minimum marks in each subject will be declared successful. Candidates securing more than 60% of the aggregate marks will be placed in the First Division.

16. A list of successful candidates together with the number of marks obtained will be published in order of merit, in the Rajasthan Gazette, or in the prominent Newspapers of the Rajasthan

17. A certificate, declaring that the candidate has passed the examination, shall be granted by the Board of Revenue for Rajasthan.

18. Any person qualified under the provisions of these rules, wishing to practise as a petition-writer in any Revenue Court of the Rajasthan may apply (in form Appendix II) to the Registrar, Board of Revenue for Rajasthan to get his name enrolled as a petition-writer in a book or register to be kept for the purpose.

19. Every petition-writer enrolled as aforesaid shall receive an enrolment certificate i.e. license (in form Appendix III) on a non-judicial stamp worth Rs. 10/- (Rupees Ten) provided by such petition-writer at the time of application for enrolment. Such certificate license shall be issued under the signature of the Registrar and Seal of the Board of Revenue for Rajasthan.

20. Petition-writers duly admitted and enrolled as aforesaid may write petitions for presentation to any Revenue Court of the Rajasthan and may practise within the precincts of any Revenue Court of Rajasthan.

21. If any person having passed the examination entitling him to be enrolled as a petition-writer shall fail to apply for admission and enrolment for a period of 3 years, he shall not be admitted and enrolled unless by special order of the Chairman, Board of Revenue for Rajasthan.

22. Enrolment certificates will be current for one year only and will be renewed on application to the Registrar, Board of Revenue for Rajasthan on or before expiry of one year from the date of their issue. The application for renewal shall be accompanied by the expiring license and renewal fee of Rs. 5/-.

23. A petition-writer, the term of whose licence has expired, will not be entitled to practise in any Revenue Court, unless his licence is renewed. After expiration of the term it is at the discretion of the Chairman, Board of Revenue to renew a licence on recovery of penalty as may be fixed by the Chairman, Board of Revenue, but would not exceed Rs. 15/- (Rupees fifteen) in any case over and above the prescribed fee.

24. The following persons are qualified or may be recognised for enrolment as petition-writers without the necessity of passing the test examination:--

- (a) Any person, who prior to the passing or coming into force of these rules, was duly enrolled and licensed as a petition-writer in any Covenanted State of Rajasthan.
- (b) Any person who proves that he has been practising as a petition-writer in a Covenanted State which had no law or rules on the subject, prior to the merger, and whom the Commissioner of the Division concerned recommends

as a deserving case and the Chairman, Board of Revenue considers him fit for the grant of a licence to continue as a petition-writer.

Such a petition-writer shall have to obtain enrolment licence from the Board of Revenue for Rajasthan within a month from the date of publication of these rules failing which they shall not be entitled to practise as petition-writers, and their old licences, shall not be renewed.

25. A licence granted to a petition-writer, subject to these rules, according to its terms, and subject to its being duly renewed from year to year, authorises him to practise and continues in force until—

- (1) its operation is suspended by an order of the Chairman, Board of Revenue;
- (2) the petition-writer enters the service of the Government or local body or carries on any trade or business;
- (3) the petition-writer is suspended or dismissed by the Chairman, Board of Revenue, for any reasonable cause.

26. Every petition-writer licensed under the foregoing rules shall maintain a register, in the form annexed to these rules and shall enter therein every petition written by him and shall produce the register for the inspection of any court or officer when required.

27. Every licensed petition-writer shall, at his own expense provide himself with an official seal of the following pattern and shall affix his seal on every petition written by him:—

PETITION-WRITER	
()
()
(	Name... ..
()
(	Licence No..... ..of 19
()
(	Petition No
()
(	Fee charged
()

28. Every licensed petition-writer, in writing petitions shall confine himself to expressing in plain and simple language, and in a concise and proper form, the statement and objects of the petitioner, and shall not introduce any argument or quotation from a Law Report or other Law Book, or refer to any decision not brought to his notice by the Petitioner.

29. Every licensed petition-writer shall re-write at his own cost any petition written by himself, when required to do so by order of a competent authority.

30. A licensed petition-writer shall not instigate any person to get a petition to be written by himself or by any other licensed petition-writer, which he knows to be unnecessary frivolous or vexatious.

31. (1) No licensed petition-writer shall practise—

- (i) contrary to the terms of his licence;
- (ii) in any court or office in which he has been forbidden to practise while such prohibition is in force;
- (iii) after his licence has been or should have been surrendered under these rules, or
- (iv) while under suspension.

(2) Any person who practises as a petition-writer contrary to the provisions of the above rule shall be liable to a penalty not exceeding rupees fifty.

32. (i) Subject to the provisions of rule 33, every licensed petition-writer may make his own terms with his employer as to the remuneration to be paid for his services:

Provided that he enters correctly the actual amount agreed upon the petition and in the proper column of his register.

(ii) A licensed petition-writer shall not take payment for his services by an interest in the result of any litigation in connection with which he is employed, nor shall he find or contribute towards the funds requisite for carrying on any litigation in which he is not personally interested.

33. Any Revenue Court or Officer who, upon the representation of any person employing a petition-writer, after hearing such petition-writer, if he desires to be heard, finds that the fee charged for writing a petition presented in his court or office was excessive, may, by order in writing, reduce the same to such sum as appears to be, under the circumstances reasonable and proper, and may require the petition-writer to refund the amount received in excess of such sum. An order passed under this rule shall not be revised, except by the Court or Officer who passed it.

34. Any Revenue Court may order a licensed petition-writer to re-write any petition written by him which contravenes rule 29 or is illegible, obscure, or prolix, or contains any irrelevant matter, or misquotation, or is, from any other cause, in the opinion of such court or officer, informal or otherwise objectionable. An order passed under this rule shall not be open to revision by any court or officer other than the court or officer which passed the order.

35. A licensed petition-writer shall not act as a recognised agent in any case in a Revenue Court or office, except a case in which he is himself a party, nor shall he accept any power of attorney, whether general or special authorising him to act as a recognised agent in a Revenue Court on behalf of any person.

36. The presiding officer of any Revenue Court may, for any sufficient cause to be recorded in writing under his signatures, prohibit any petition-writer from practising in his court pending a reference to the Chairman, Board or Revenue.

37. Any licensed petition-writer who—

(1) habitually writes petitions contrary to rule 29 or containing irrelevant matter, or which are informal, or otherwise objectionable or in extremely illegible, handwriting, or

(2) in the course of his business as a petition-writer uses disrespectful, insulting or abusive language, or

(3) is found to be incapable of efficiently discharging the functions of a petition-writer, or

(4) habitually remains absent during court hours or is absent from headquarters for a considerable period without sufficient cause, or

(5) by reason of any fraudulent or improper conduct in the discharge of his duty as a petition-writer is found to be unfit to practise as such, or

(6) is convicted of a criminal offence, and

(7) engages in any regular business or trade shall be liable to be suspended or dismissed by order of the Chairman, Board of Revenue, after such enquiry as the Chairman may deem proper and the order of the Chairman, shall be final.

APPENDIX I.

Application of for
permission to appear at the petition-writers' Examination.

1. Name of applicant.....
2. Father's Name.....
3. Caste
4. Age
5. Residence (Full address).....

6. Educational Qualifications.....

7. Detail of certificates of character etc. accompanying the application.....

Signature of the applicant.

Date

APPENDIX II.

Application of for
enrolment of petition-writer.

1. Name
2. Father's Name.....
3. Caste
4. Age
5. Resident.....

6. No. and date of the petition-writers' examination certificate issued by the Board of Examination

7. Name of the court in which he ordinarily desires to practise.....

Signature of the applicant.

Date.....

APPENDIX III

FORM OF LICENCE.

BOARD OF REVENUE FOR RAJASTHAN, JAIPUR.

Certified that.....son of.....
resident of.....has this day
 been licensed as a petition-writer and is hereby permitted to practise
 as such subject to the provisions of the rules relating to petition-
 writers in Rajasthan.

He shall carry on his business within the precincts of.....

This licence, unless duly renewed, shall be valid up to the
 December 31, 19

Given under my hand and the Seal of the Board of Revenue
 for Rajasthan thisday of

Registrar.

Board of Revenue for
 Rajasthan, Jaipur.

APPENDIX B

*RULES FOR THE QUALIFICATION ADMISSION AND
 ENROLMENT OF REVENUE AGENTS IN THE
 REVENUE COURTS OF RAJASTHAN.*

Whereas it is expedient to consolidate and amend the rules
 relating to qualification, admission and enrolment of Revenue Agents
 in the Revenue Courts of the Government of Rajasthan.

Now, therefore, in exercise of the power conferred by section
 17 of the Indian Legal Practitioner's Act, (XVIII of 1879), intro-
 duced in the Rajasthan under the (Rajasthan Adaptation of Central
 Laws Ordinance, 1950, (Ordinance No. 4 of 1950), the Chief Control-
 ling Revenue Authority is pleased to make and promulgate the
 following rules for the qualification, admission and enrolment of
 Revenue Agents in the Revenue Courts of the Government of the
 Rajasthan:—

- (1) These rules may be called "The Rules for the Qualifica-
 tion, Admission and Enrolment of Revenue Agents in
 the Revenue Courts of the Rajasthan, 1951."
- (2) These rules shall extend to the whole of the Rajasthan.
- (3) These rules shall come into force with effect from the
 date of their publication in the Rajasthan Gazette.

2. All rules, Hidayats, orders or circulars etc. hitherto in
 force, in the various Covenanting States relating to Revenue Agents,
 are hereby repealed.

All persons admitted and enrolled as Revenue Agents, certi-
 ficates issued, sanctions given and orders under any rule, law,
 Hidayat, order or circular etc. of any Covenanting State of the
 Rajasthan hitherto in force and hereby repealed shall be respectively

deemed to have been admitted and enrolled, issued and passed under these rules.

3. In these rules unless there be something repugnant in the subject or context,—

“Revenue Agent” means a person holding a certificate for the purpose, issued under the provision of these rules.

“The Chief Controlling Revenue Authority” means the Chairman, Board of Revenue for Rajasthan established by the Rajasthan Board of Revenue Ordinance, 1949 (No. XXII of 1949).

“Revenue Courts” mean all courts or offices (other than civil and criminal courts), trying suits hearing applications or conducting enquiries under any law for the time being in force relating to land, land-revenue, rent and land-holders and tenants, or their agents.

Note:—Rules 4 to 15 (both inclusive) have been omitted *vide* Board of Revenue for Rajasthan, Jaipur Notification No. 3032/B.R., dated the 21st September, 1951.

16. Any person having passed the examination conducted by the Board of Examiners for enrolment as Revenue Agents may apply (in form Appendix 2) to the Registrar, Board of Revenue for Rajasthan to get his name enrolled in a book or register to be kept for the purpose.

17. Every Revenue Agent enrolled as aforesaid shall receive an enrolment certificate (in form Appendix 3) on a non-judicial stamp worth an amount provided by Part III, II Schedule of the Indian Legal Practitioners Act, (Act, No. XVII of 1879), such Revenue Agent at the time of application for enrolment. Such certificate shall be issued under the signature of the Chairman Seal of the Board of Revenue for Rajasthan.

18. Revenue Agent duly admitted and enrolled as aforesaid may appear and act in Board of Revenue for Rajasthan and in such courts as may be specified in his Enrolment Certificate after filing a memorandum of appearance on a stamp worth Rs. 2/- authorising him to appear in a case.

19. If any person having passed the examination entitling him to be enrolled as a Revenue Agent shall fail to apply for such admission and enrolment for a period of 3 years, he shall not be admitted and enrolled unless by special order of the Chairman Board of Revenue for Rajasthan.

20. Enrolment Certificates will be current for one year only and will be renewed on application to the Registrar, Board of Revenue for Rajasthan on or before expiry of one year from the date of their issue. The application for renewal shall be accompanied by the expiring certificate and renewal fee of an amount equal to half of the original fee.

21. A Revenue Agent, the term of whose enrolment certificate has expired, will not be entitled to practise in any revenue court,

unless his certificate is renewed. After expiration of the term it is at the discretion of the Board of Revenue to renew a certificate on recovery of penalty as may be fixed by the Chairman, Board of Revenue but would not exceed Rs. 50/- in any case over and above the prescribed fee.

22. No Revenue Agent shall act for any person in any suit, appeal or proceeding unless he has filed a memorandum of appearance, with a court stamp worth Rs 2/- authorising him to do so and signed by such person or by his recognised agent, and attested by a witness.

23. The following persons are also qualified or recognised for enrolment as Revenue Agents without the necessity of passing the test examination:—

(a) Any person who prior to the passing or coming into force of these rules, was duly enrolled as a Revenue Agent in any Covenanting State of the Rajasthan.

(b) Any person, who holds a Sanad granted by any Covenanting State before formation of Rajasthan to act as Revenue Agent or Vakil or Perokar in any special or particular Revenue Court or in all Revenue Courts and who is considered by the Chairman, Board of Revenue as a fit or proper person for admission or enrolment as a Revenue Agent.

(c) Any person, who proves, to the satisfaction of the Chairman, Board of Revenue, that he had been practising as a Mukhtar in a Covenanting State which had no law or rules on the subject, prior to the Merger, and whom the Commissioner of the Division concerned recommends as a deserving case and the Chairman, Board of Revenue finds suitable for grant of a certificate to continue practice as a Revenue Agent.

As regards (a). (b) and (c) above a date will be fixed by the Chairman, Board of Revenue and notified in the Rajasthan Gazette, for submission of applications for enrolment as a Revenue Agent under these rules. After the expiry of the said date no such application shall be considered.

24. The Chairman, Board of Revenue may suspend him practising any Revenue Agent holding a certificate issued under these rules on one or more of the following grounds:—

(a) who is convicted of any criminal offence implying a defect of character which makes him unfit to be a Revenue Agent or for a criminal offence involving moral turpitude.

(b) who is guilty of fraudulent or grossly improper conduct in the discharge of his professional duty, or

(c) who tenders, gives or consents to the retention, out of any fee paid or payable to him for his services of any gratification for procuring or having procured the employment in any legal business of himself or any other Revenue Agent, or

(d) who, directly or indirectly, procures, or attempts to procure the employment of himself, as such Revenue Agent through or by the intervention of, any person to whom any remuneration for obtaining such employment has been given by him, or agreed or promised to be so given, or

(e) who accepts any employment in any legal business through a person who has been proclaimed as a tout under section 36 (Chapter VII of the Indian Legal Practitioner's Act (XVIII of 1879),

(f) for any other reasonable cause as the Chairman, Board of Revenue may determine.

25. No suspension of a Revenue Agent shall be ordered, unless any enquiry has been made by the Chairman, Board of Revenue into the allegations or charge or charges against him, and unless and until the Revenue Agent concerned has been given a sufficient opportunity of defending himself against the charge or charges imputed to him.

26. A Revenue Agent who is suspended, shall forth-with deliver up his certificates to the Registrar, Board of Revenue for Rajasthan.

27. Any Revenue Agent, failing to deliver up his certificate as required by rule 26 shall be liable to a fine by the Chairman, Board of Revenue for Rajasthan, not exceeding Rs. 200/-

28. Any Revenue Agent, who under the above mentioned provisions has been suspended and who, during such suspension is found practising in any Revenue Court and any person not authorised to practise under the above mentioned provisions, who is found practising in any Revenue Court or before any Revenue Officer, shall be liable by the order of the Chairman, Board of Revenue for Rajasthan to a fine not exceeding Rs. 500/-.

29. Every Revenue Court or person concerned shall have power to report to the Registrar, Board of Revenue regarding conduct of unprofessional dealing of a Revenue Agent, together with its remarks.

30. If an applicant for enrolment as a Revenue Agent holds any appointment under Government or local body or carries on any trade or business the Board of Revenue may refuse to admit him or pass such orders on his application as they think proper.

31. Any person who having been enrolled as a Revenue Agent if accepts any appointment under Government local body or private concern or enters into any trade or other business shall give notice thereof to the Board of Revenue which may thereupon suspend such Revenue Agent from practising or pass such orders as the Board may deem proper.

32. In case any doubt or dispute with regard to the interpretation of any provision of the rules, reference shall be made to the Chairman, Board of Revenue for Rajasthan whose decision thereon shall be final.

APPENDIX I.

Application of..... for permission to appear
at the Revenue Agent's Examination (Rule 7).

1. Name of the applicant.....
2. Father's name.....
3. Caste.....
4. Age.....
5. Residence (Full address)
6. Educational Qualifications
7. Detail of certificates of character etc. accompanying the
application

Signature of the applicant.

Dated

APPENDIX II.

Application of for enrolment
of Revenue Agent (Rule No. 16).

1. Name of the applicant.....
2. Father's name
3. Caste
4. Age
5. Residence (Full address)
6. No. and date of the Revenue Agent examination certificate
issued by the Board of Examination
7. Name of the court in which he ordinarily desires practise..
.....

Signature of the applicant.

Dated

APPENDIX III

BOARD OF REVENUE FOR RAJASTHAN
CERTIFICATE OF ENROLMENT.

Number .. . Date of issue.....
Name of the Revenue Agent .. .
His Father's name, caste etc .. .
Name of the court or courts in which he is authorised to
practise .. .
Period for which the certificate is allowed .. .
Remarks .. .
Seal of the Board.

Signature of Registrar,
Board of Revenue for Rajasthan.

Date .. .

*REGULATIONS FOR CONDUCTING EXAMINATIONS FOR
ENROLMENT OF REVENUE AGENTS IN RAJASTHAN.*

In exercise of the powers conferred by section 37 of the Legal Practitioners Act, 1879 (XVIII of 1879), the Government of Rajasthan is pleased to make the following regulations for conducting examinations for enrolment of Revenue Agents in Rajasthan:—

1. *Title.*—These Regulations may be called the Rajasthan Revenue Agents Examination Regulations, 1952.

2. *Extent.*—These Regulations shall extend to the whole of Rajasthan.

3. *Date of enforcement.*—These Regulations shall come into force on the date of their first publication in the Rajasthan Gazette.

4. *Repeal.*—All rules and regulations relating to examinations for enrolment of Revenue Agents hitherto in force in the Covenanting States are repealed.

5. *Saving.*—Nothing in these regulations shall affect or apply to persons qualified for enrolment as revenue agents under rule 23 of the Rules for the qualification, admission and enrolment of Revenue Agents in the Revenue Courts of United State of Rajasthan, 1950.

6. *Examination for enrolment*—An examination of candidates for admission as Revenue Agents will be held annually at such place, on such dates and at such times as the Board of Revenue for Rajasthan may appoint by Notification in the Rajasthan Gazette.

7. *Qualifications of candidates for examination.*—(1) Any person desiring to be admitted as Revenue Agent in any Revenue Court of Rajasthan shall, at least two months before the date fixed for the commencement of the next ensuing examination, submit to the Secretary of the Board of Revenue for Rajasthan an application in the form set out in Appendix I accompanied with the following certificates namely:—

(i) that the applicant is a bona fide resident of Rajasthan.

(ii) that he is above 21 years;

(iii) that he is of good moral character; and

(iv) that he has passed the High School Examination of the University of Rajasthan or any other examination which may from time to time be declared to be equivalent to the said High School Examination for the purposes of these Regulations.

(2) Along with every such application shall be paid a fee of twenty-five rupees either in cash or by money order, failing which the application shall not be considered.

8. *Admission of candidate.*—Unless the Board of Revenue, after such enquiry as it may deem necessary rejects the application on any ground whatsoever to be recorded in writing and communicated to the applicant, it shall after satisfying itself that the applicant has complied with all the requirements of regulation 7, get his name registered in a register to be kept for the purpose.

9. *Failure of candidate to sit.*—If an admitted candidate is prevented by any cause beyond his control or due to an

accident or any unforeseen circumstances from appearing at the examination, the fee deposited by him will, upon application, and proof of the cause, be refunded to him after deducting one-fifth thereof.

10. *Subject of Examination.*—The examination shall be held in the following subjects, the questions being set both in English and in Hindi, the answers to which may be given either in English or in Hindi:—

First paper.—1. Tenancy Laws of the various Covenanting States.

2 Land Revenue Acts of the various Covenanting States.

Note.—The above items shall stand substituted by the Rajasthan Land Revenue Act and Rajasthan Tenancy Act when promulgated.

Second paper.—1. The Rajasthan Removal of Trees (Regulation) Ordinance, 1949 (No. VII of 1949).

2. The Rajasthan (Protection of Tenants) Ordinance, 1949 (No. IX of 1949).

3. The Rajasthan Board of Revenue Ordinance, 1949 (No. XX of 1949).

4. The Rajasthan Revenue Courts (Designation) Ordinance, 1949.

5. The Rajasthan Produce Rents Regulating Act.

6. The Rajasthan Court of Wards Act.

7. The Rajasthan Land Reforms and Resumption of Jagirs Act, 1952.

Third Paper.—1. The Rajasthan Code of Civil Procedure (Adoption) Ordinance 1950 (No. V of 1950) Civil Procedure Code.

2. The Rajasthan Limitation Act (Adaptation) Ordinance, 1950 (No. VI of 1950) The Law of Limitations.

3. The Rajasthan Court Fees Act (Adaptation) Ordinance, 1950 (No. IX of 1950) Stamp and Court-Fee Acts.

4. The law of Evidence.

5. The Rajasthan Revenue Courts (Procedure and Jurisdiction) Act, 1951 and the rules made thereunder.

GROUP A.

Fourth paper.—1. Drafting applications, appeals, memoranda, memorials, suits written statements etc. in English and Hindi.

2. Translation of documents.

GROUP B.

General Knowledge.

Note.—The candidates are expected to read the Rajasthan Gazette and the prominent news papers and to have

knowledge and information as regards administrative changes and current topics.

11. *Marks allotted to papers.*—Each papers shall carry 100 marks and candidates who will secure 50% of the marks in each subject will be declared successful. Candidates securing more than 60% of the aggregate marks will be placed in I Division and those securing upto 60% in II Division.

12. *Publication List of Successful candidates.*—A list of successful candidates together with the number of marks obtained will be published in order of merit in the Rajasthan Gazette.

13. *Grant of certificate.*—A certificate declaring that the candidate has passed the examination shall be granted by the Board of Revenue for Rajasthan.

Register of Appeals from Orders.

No. 3 [Part I]

Date of presentation of memorandum	How instituted (1) Originally (2) Presented by transfer	Number of appeals	Name of appellant with description and place of abode.	Name of respondent with description and place of abode.	Nature of case	Order appealed from				Date fixed for hearing	Judgment		REMARKS
						Of what court	No. and date				Date	Confirmed reversed or altered	
1	2	3	4	5	6	7	8	9	10	11	12		

Register of Revisions.

No. 4 [Part I]

Date of presentation of revision	Number of Revision	Name of applicant with description and place of abode.	Name of opposite party with description and place of abode	Nature of case	Revision from order of what court and date of order.	Date fixed for hearing.	Judgment		REMARKS.
							Date	Confirmed reversed or altered	
1	2	3	4	5	6	7	8	9	10

Register of Application for Review of Judgment.

No. 5 [Part I]

Date of presentation of Review.	Number of Review	Name of applicant with description and place of abode	Name of opposite party with description and place of abode.	Review from order of what Bench and the date of judgment	Nature of Case.	Date fixed for hearing.	Judgment		REMARKS.
							Date	Allowed Dis-allowed	
1	2	3	4	5	6	7	8	9	10

No. 6 [Part I]

Register of Revenue References.

Serial Number.	Name of Court whose order is under reference No.	Name of parties & Particulars of the case.	Option submitted to Board of Revenue		Order of the Board of Revenue		No. of papers on the record.	REMARKS.
			Date.	Opinion.	Date.	Order.		
1	2	3	4	5	6	7	8	9

Register No. 7

Register of Miscellaneous Cases.

No. 7 [Part I]

Serial Number.	Date of institution.	Name of Parties		Particulars	Date of hearing	Judgment		REMARKS.
		Applicants.	Non-Applicants					
1	2	3	4	5	6	7	8	9

Register No. 8

Register of Appeals from Decrees disposed of.

No. 8 (1) [Part I]

1	Serial Num-ber	2	Date.	3	No. of Appeal and Name of parties.	4	Value of appeal.	5	Date of Ins-titution.	How Disposed of					6	Amount of pleader's fees	7	Whether higher than ordinary fee awarded	8	Number of papers on the record	9	REMARKS.
										9	Rejected.	7	Dismissed.	8	Confirmed.	6	Modified.	10	Reversed.	11	Remanded	

Register No.

No. 8 (2) [Part I]

Register of Appeals from Orders disposed of.

Serial Number	Date	No of Appeal and Name of parties	Value of appeal	Date of institution	How Disposed of					Amount of pleader's fees	Whether higher than ordinary fee awarded	Number of papers on the record		Remarks.
					Rejected	Dismissed	Confirmed	Modified	Reversed	Remanded		14	15	
1				5	6	7	8	9	10	11	12	13		

Register for disposal of application for Review.

No. 8 (3) [Part I]

Serial No.	Date of Disposal	No. of application for Review and names of parties	Date of institution	Order against which the Review application has been filed	How disposed of		No. of papers on the record	Remarks.
					Allowed	Rejected		
1	2	3	4	5	6	7	8	9

राजस्थान राज्य

तफसील मिसल कागजात वगैरह जो व हैं:—

ता० दस्तखत तलब कुनिन्दा

तफसील इमसला वगैरह जो बाकई मुहाफिजखाने से जारी की गई [यह इन्द्राज मुहाफिजखाने में किया जावे] ।

नोट :—(१) कोई मिसल, कागज या किताब मुहाफिजखाने से बिला इस स्लिप को उसकी जगह रखे न उठाई जावे ।

(२) कोई मिसल, कागज या किताब जब वापिस मौसूल हो जावे तो उसको इस स्लिप की जगह रख कर सब तलफ कर दिया जावे ।

Register of requisition for records.

No. 11 [Part I]

Serial Number.	Date of receipt of requisition.	Number and date of requisition.	Name of Court sending for record.	Particulars of case which required				Particulars of record requisitioned					Date by which record is required
				Number and year.	Title.	Kind of case.	Date of hearing	Of what court	Number and year of case	Kind of case	Title	Date of disposal	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Date of transmission of record	Number and date of despatch register	Date of return of record	Date of restoration of record to bundle	Remarks
15	16	17	18	19

To be maintained by Ahalmads and Readers.

Register of Records taken by presiding Officers to their Residence

No. 12 [Part I]

Serial Number	Kind of case	Number and year of case	Title of case	Next date of hearing	Date when Member took the record	Date when Member returned the record	Remarks.
1	2	3	4	5	6	7	8

No. 13 [Part I]

Register of Inspection of Records									
Serial No.	Date of application	Value of stamp on application	Name of applicant	Whether the applicant is		No. and year of the case with subject	Date & hour when application received by official in charge of record.	Inspection made on	Remarks.
				A party or his agent	Or a stranger.				
						7	8	9	10

It is maintained by Reader to Register.

No. 14 [Part I]

REGISTER No. 14.
of Applications for copies.

Serial No.	Date of application.	Value of court fee on copying folios filed.		Name of applicant	Whether		Paper or papers of which copy applied for	Particulars of record from which copy applied for		
		Ordinary	Urgent.		Party	Stranger.		Kind of case	Number & year of case	Title of case
1	2	3	4	5	6	7	8	9	10	11

Value of court-fee on application for copy.	Date & hour when application received by the Record Keeper or Clerk in charge of Record	Date and hour when record was received by the Head copyist	Date & hour on which record was returned by the Head Copyist	Last date fixed for delivery of copy.	Date on which notice if any regarding preparation of copy posted on Notice Board.	Name of Copyist.	Date of delivery of copy	Remark.
12	13	14	15	16	17	18	19	20

No. 15 [Part I]

Register No. 15
Register of records handed over to Copyist.

Serial No.	No. and date of copying application		Date & hour on which application received by the record clerk		Date & hour on which record sent to head copyist		Particulars of record sent			Acknowledgement of Head Copyist	Remarks
	No.	date	Date & hour	on which application received by the record clerk	Date & hour	on which record sent to head copyist	Name of Court	Kind of case	Number & year		
1	2	3	4	5	6	7	8	9	10		

No. 16 [Part I]

Register No. 16.
Register of sanctioned estimates of copying charges for Maps Plans etc.

Serial No.	No & date of copying application	Name of applicant	Record from which copy required			Description of Map, plan etc. to be copied	Amount of sanctioned estimate	Signature of the Presiding Officer or Officer-in-charge of the copying department	Remarks showing when fee realised or application dismissed
			Kind of case	No. & year	Title				
1	2	3	4	5	6	7	8	9	10

No. 17 [Part I]

REGISTER No. 17
Register of applications for copies disposed of.

Serial Number of disposal.	Date of disposal.	Date of application.	S. No. of application.	Name of applicant.	Period taken in preparation of copy.		Copy not prepared.	Amount of copying		Amount of copying fees ordinarily payable in copies issued free	Signature of recipient	Despatch Number & date in case of copies sent by post	Remarks.
					In ordinary application	In urgent application		Rs.	as.					Rs.	as.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

No. 18 [Part I]

Serial Number	Particulars of case for which record requisitioned				Number & date of the requisition letter	To whom requisition sent	Particulars of the record requisitioned					Date by which record is required.	Date of receipt of the record	From whom received	Date of the return of the record	To whom returned	Number and date of the despatch registered	Remarks.
	No. & Year	Kind of case	Title of case	Date of hearing			Of what court	Title	Kind of case	Number and year of case	Date of decision.							
1					6	7	8	9	10	11	12	13	14	15	16	17	18	19

No 19 [Part I]

Serial Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	Name of court in which document filed	Number and year of case	Kind of case	Name of Parties	Description of document with date	Names of Parties to or named in the document.	Date when document filed	Date of order for return.	Date of actual return	Signature of the officer ordering return	Name of party to whom document returned	Signature of the person receiving the document	Signature of witness before whom document returned & who identified the receipt-	Signature of official making return	Whether certified copy of document was substituted for original		Remarks.

No. 20: [Part I]

Serial Number	Case Number	Subject	Date of Judgment	Remarks.
1	2	3	4	5

No. 21 [Part I]

Register No.
General Register of Books.
(Rule No.)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Date of receipt	Serial Number	Name of Author	Title of Book	Where published	Year of publication.	Number of pages.	Bound or unbound	Source of receipt	Price	Bill No.	Date	Volume	R E M A R K S .

No. 22 [Part I]

Register No.
Register of Periodicals
(Rule No.)

1	2	3	4	5	6	7	8
Serial No.	Title and address of periodical	Date of receipt	Date of issue	Volume No.	Part No.	Price and annual subscription	R E M A R K S .

Register No.
Classified Catalogue of Books
(Rule No.)

1. General Index _____

Index Pages _____
(Alphabatical.)

2. Index to

(i) Acts, Ordinances and Regulations:—

(1) Central

(2) Rajasthan

(3) Other States

(ii) Special Acts.

(iii) Commentaries on Acts.

(iv) Land Treaties

(v) Department Codes, Guides, Manuals and Circulars.

(i) Judicial

(ii) Revenue

(iii) Finance and Accounts

(iv) Miscellaneous

(vi) Law Reports

(vii) Digests

(viii) Periodicals

(ix) Administration Reports

(i) India

(ii) Rajasthan

(iii) Other States

(iv) Miscellaneous Departments.

(x)-Dictionaries, Glossaries and Directories

(xi) Miscellaneous.

Register No. No. 24 [Part I]
 Register of Books Issued From Library
 (Rule No.)

Serial Number	Book Number	To whom issued	Name of Book	Signature of receipt	Date of return
1	2	3	4	5	6

Register Regarding Enrolment of Revenue Agents. No. 25 [Part I]

Serial Number	Name of the applicant with all particulars	Educational Qualification	Nos. and date of order for enrolment	Name of the Court for which he is allowed to practise	Certificate issued on	Renewed up to	Remarks.
1	2	3	4	5	6	7	8

Register Regarding Enrolment of Petition Writers. No. 26 [Part I]

Serial Number	Name of the applicant with all particulars	Educational Qualification	Nos. and date of order for enrolment	Name of the Court for which he is allowed to practise	Certificate issued on	Renewed upto	Remarks.
1	2	3	4	5	6	7	8

Register of Registered Advocates Clerks.

No. 27 (Part I)

Serial No.	Date of application	Date of entry in register	Name and description of clerk	Name of Pleader	Remarks
1	2	3	4	5	6

Register No. .
 Register for Receipt of Confidential Letters
 (Rule No.)

No. 28 (Part I)

Serial No.	Date of receipt	Number and date of letter received		From whom received	Brief Contents	Transferred to	Number and date of reply		Remarks.
		No.	Date				No.	Date	
1	2	3	4	5	6	7	8	9	10

Register No.
 Register for despatch of confidential letters.
 (Rule No.)

No. 29 (Part I)

Serial No.	Date of Despatch	To whom despatch	Brief Contents	File No.	Remarks
1	2	3	4	5	6

Register No. _____
 Receipt Register of the Office of Date ...
 (Rule No.)

No. 30 (Part I)

Inward No.	Date of receipt	From whom received	No. and date of Office of origin	Brief contents of the letter	To whom delivered	Signature of the recipient,	Remarks.
1	2	3	4	5	6	7	8

Register No. _____
 Despatch Register of the Office of Date.....

No. 31 (Part I)

Serial Number	Date of Issue	To whom issued	Brief Contents	File No.	Postage Stamps		Remarks.
					Rs.	As. P.	
1	2	3	4	5	6	7	

Register No. _____
 FILE REGISTER.
 (Rule No.)

No. 32 (Part I)

(Rule No.)						
Serial Number	Previous file Number	Major Head		Subject	Pages Number	Remarks.
		Minor Head				
1	2	3	4	5	6	

Register No.
PRECEDENT REGISTER
(Rule No.)

No. 33 (Part I)

Serial Number	Reference of File	Subject	Copy of Order with date	Remarks.
1	2	3	4	5

Register No.
DAILY DIARY REGISTER
(Rule No.)

No. 34 (Part I)

Inward No.	From whom received	Subject	Action taken	Date of final disposal	Remarks.
1	2	3	4	5	6

Register No.
FILE INDEX
(Rule No.)

No. 35 (Part I)

Head and Sub Head	Serial Number in file index	Date of closing letter or order.	Subject	Number of Paper in file originally	Number weeded under the rule.	Date of weeding	Remarks
1	2	3	4	5	6	7	8

Register No. (Rule No.)
 Cash Book 1 Month of
 In the Office of
 Receipts, Payments.

[illegible]

Register No.
(Rule No)

[illegible]

No. 38 [Part I]

Register No.
Register of T. A. Salary Bills Sent To A. G.
(Rule No.)

Serial No.	Date	Subject	Amount of Bill.	Amount passed	Date when Cheque received	Date of encashment	Date of disbursement	Remarks.
1	2	3	4	5	6	7	8	9

Register No.
(Rule No.)

No. 39 [Part I]

.....Department.

Register of Purchase Type-writers and Duplicators (One Machine to be entered on each page)

Name or make of machine.....Model.....

Machine No.....Date of Purchase.....Price.....Date condemned.....

To whom issued	Date of issue	Date of repairs	Nature of repairs	Cost of repairs	Total	Remarks and date of inspection with initials of inspecting Officer
1	2	3	4	5	6	7

Register No.
(Rule No.)
No. 40 [Part I]

REGISTER OF BICYCLES.

Form A.

Particulars to be entered of each bicycle

1. Frame No. of bicycle and make.....
2. Date of purchase.....
3. Purchase price.....
4. Firm from which purchased
5. License No.

Date of issue	To whom issued	Signature of recipient	Condition on issue	Date of return	Signature of Nazir	Condition on return	R E M A R K S .
1	2	3	4	5	6	7	8

FORM B.

Date of repairs	Details of repairs	Amount spent on repairs	Payment voucher No.	Progressive total in the year	R e m a r k s .
1	2	3	4	5	6

Register No. No. 41 [Part I]
Register of Securities.
(Rule No.)

Serial No.	Name of Official whose security taken	Designation	Order for Security	Description of amount of Security	Signature of the Official furnishing Security	Verification of the Officer	REMARKS.
1	2	3	4	5	6	7	8

Register No. No. 42 [Part I]
Register of Money Orders Received.

Date	Particulars of the case			Amount of money order	Number and date of entry	Name or number of register in which receipt is entered	REMARKS.
	No. & date of money order	From whom received	On what account	No. and year	Kind	Title	
1	2	3	4	5	6	7	11

Register No. No. 43 [Part I]
Register of Service Postage Stamps.
(Rule No.)

RECEIPT				ISSUED		
Date	Service Stamps received	Denomination	Total	Name of Official to whom issued	Denomination	Balance.
1	2	3	4	5	6	7
						8

Register No.
Register of Acquittance Roll.
(Rule No.)

No. 44 [Part I]

Serial Number	Name	Designation	Pay and Grade	Other Allowances	Amount passed	Signature of the payee	Remarks
1	2	3	4	5	6	7	8

Government of Rajasthan

STATIONERY REGISTER

No. 45, 46 [Part I]

Department/Office

Name of description of Article.....

Date	Quantity in hand	Quantity received	Total	For whom received	Price	Remarks	Date	Quantity issued	Balance	Details of issue	Remarks
------	------------------	-------------------	-------	-------------------	-------	---------	------	-----------------	---------	------------------	---------

Government of Rajasthan
Department/Office

No. 47 [Part I]

FORMS REGISTER

Name and description of forms.....

Date	Quantity in hand	Quantity received	Total	From whom received	Price	Remarks	Date	Quantity issued	Balance	Details of issue	Remarks
------	------------------	-------------------	-------	--------------------	-------	---------	------	-----------------	---------	------------------	---------

Government of Rajasthan Dak Book & Peon Book		No. 51 [Part I]	
Month & date of despatch.	To whom	Contents.	Peon's name
		Register No.	Signature of receiver.

Register of Re-Payment of Deposits.
(Rule No.)

Serial Number	Amount deposited	No. and date of receipt from Treasury.	Case Reference	Name of the depositing person.	Date of application for re-payment.	Substance of order.
------------------	---------------------	--	----------------	-----------------------------------	--	---------------------

Register No.
Register of Receipt Deposits.
(Rule No.)

Date	Serial Number of ledger.	Name of the depositor.	Particulars of deposit	Receipt No.	Amount deposited	Refunded or deposited to Treasury	Date	Amount	Remarks.
1	2	3	4	5	6	7	8	9	10

Register No.
Register of Revenue receipt
(Rule No.)

Serial Number	No. of Cash receipt	From whom received	Particulars of receipt	Amount	Remarks.
1	2	3	4	5	6

No. 55 [Part I]

Register No.
Register of Casual Leave
Rule No.

Serial Number	Name of Official	Leave taken during the year.												Remarks
		14,	13,	12	11,	10,	9,	8,	7,	6,	5,	4,	3,	
1	2	3												4

No. 56 [Part I]

Register No.
Register of leave applications refused or sanctioned
(Rule No.)

Month and year	Sanction	Name of the application	Leave applied for		Orders passed	Remarks.
			From	To		
1	2	3	4	5	6	7

No. 57 [Part I]

Register No.
GRADATION LIST MINISTERIAL STAFF
(Rule No.)

Name of Official	Educational qualification	Date of birth	Caste	Date of joining service	Appointment	Date of appointment in		Pay Grade	Date of next increment	Present Postings	Remarks
						Upper division	Lower division				
1	2	3	4	5	6	7	8	9	10	11	12

Register No. () No. 58 [Part I]

Attendance Register for the office of For the month 195

S. No.	Name	Designation	Date	Casual leave	Remarks
1	2	3	1 to 4	5	6

Register for Records Received and Consigned No. 59. [Part I]

Serial Number	Date of receipt in Records Section	No. and year of the case	Kind of case	Subject	Date of Judgment	Name and designation of official depositing records.	Signature with date of the Official placing file in Basta	Signature of Senior Record Keeper.	Date of wedding	Signature of weeder	Signature of Senior Record Keeper in token of wedding with date	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13

Register of English Records consigned in Record Room Board of Revenue for Rajasthan Jaipur. No. 60 [Part I]

Head

Serial Number	Date of consignment	Sub-Head	File No. & year	Subject	Date of commencement	Date of order for closing	No. of pages in correspondence	Note pages	Signature of official who has made entries (R. K.)	Signature with date of the Official placing the file in Basta	Signature of Weeder & Record Keeper in token of wedding with date	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13

Receipt Books in which cases are consigned.

No. 61 [Part I]

Name of the Section	Particulars of Records	Date on which Records consigned	Signature of the Record Keeper
1	2	3	4

No. 62 [Part I]

Register of Handing over charges
(Records)

Serial No.	Name of the Relieving Official	Name of Relieved Official	Date of handing over	Particulars reg: papers or Registers handed over in charge	Signature of the Relieving Official	Signature of the Relieved Official	Remarks.
1	2	3	4	5	6	7	8

No. 63 [Part I]

Register of Records sent out and received in
the Record Room.

Serial Number	Date of requisition.	Date of issue.	Name of village Tehsil or Distt.	File No.	Year.	Su, ject.	Purpose for which issued.	Name and Signature of receiving	Date of return to the record clerk.	Signature of the record clerk.
1	2	3	4	5	6	7	8	9	10	11

राजस्थान राज्य

तफसील मिसल कागजात वगैरह जो मतलूब हैं:—

ता०

दस्तखत तलब कुनिन्दा

तफसील इमसला वगैरह जो चाकई मुहाफिजखाने से जारी की गई (यह इन्द्राज मुहाफिजखाने में किया जावे) ।

नोट:—(१) कोई मिसल, कागज या किताब मुहाफिजखाने से घिला इस स्लिप को उसकी जगह रखे न उठाई जावे ।

(२) कोई मिसल, कागज या किताब जब वापिस मौसूल हो जावे तो उसको इस स्लिप की जगह रख कर सब तलफ कर दिया जावे ।

Register No. No. 66 [Part I]

Register of General letters and Circulars

Serial Number	Date of receipt	Issuing Authority	Number & date of Circular	Subject	File on which used	Serial Number of pages of the file	Acknowledge ment of the official to whom copy delivered	Remarks.
1	2	3	4	5	6	7	8	9

Register of Weeding No. 67 [Part I]

Serial Number	Date of Weeding	No. and Samwat of files weeded	Note regarding retention or destruction	Remarks.
1	2	3	4	5

PART II.

CHAPTER I.

Preliminary.

1. *Office hours.*—The hours of working in the Revenue Courts shall be as ordered by the Government from time to time.

2. *Attendance Register.*—The Reader or the Superintendent of every court shall maintain an attendance register of the staff and shall put it every day before the Presiding Officer "in case of Tehsildars, Assistant Collectors and Sub Divisional Officers for signatures within half an hour of the Office time. In case of other officers it shall be put up by the Superintendent every week before the Presiding Officer for signatures".

3. *Table of jurisdiction.*—In every court room there shall be hung up in a conspicuous place a notice setting forth, in a tabular form, the territorial and pecuniary jurisdiction as notified by the Government from time to time of the court. The Superintendent or the Reader shall be responsible for the maintenance of this up-to-date table of jurisdiction.

4. *Time of receipt of petitions.*—Applications and petitions shall be taken at regular hours to be fixed by each court with the approval of the Collector and the Collector and the Commissioner shall fix an hour for the receipt of petitions in their own courts. Notice of the hours fixed shall be pasted on the Notice Board of each Court. In the absence of any such notice, application and petitions shall be presented at the commencement of the sitting of the court and half an hour before the rising of the court, provided that an application or petition presented after such hour may be received on any day other than gazetted holiday on the ground of limitation or other urgent reasons

5. *Noting of time on certain applications.*—Presiding Officers when accepting application and petitions after the court hours shall note on it the time of its presentation.

6. *Orders other than routine ones should be recorded on order-sheet.*—No orders except routine orders are to be recorded on the applications themselves. All other orders are to be recorded on the order-sheet. All petitions shall, if possible, be disposed of by an order passed in the court as soon as they are presented.

7. *Petition on behalf of court of Wards etc.*—In the case of a petition presented on behalf of the Court of Wards. The Government estates or an estate managed by the Officer of the Government and in all suits by or against the Government, State Railways, Court of Wards, Municipal or other local bodies, Trustees of Trusts, if any party desires a certificate of court fee and stamps filed in the court by it and furnishes the particulars of the same the court shall issue a certificate upon the particulars furnished after verification from the record.

8. *Cases not to be heard on holidays.*—Without the consent of the parties, and in the absence of urgent necessity no case shall be heard on a general holiday:

Provided that on a general holiday the court shall not refuse to do any act or to make any order urgently required which may, with propriety, be done or made out of court.

9. *Cause list.*—A cause list shall be prepared in every court either by the presiding officer personally or under his direct personal supervision, every fortnight, or at such shorter intervals as may be convenient, showing (a) the date fixed for the hearing of each case, (b) the number and description of the case, (c) the names of the parties, (d) the purpose for which the date has been fixed and (e) the place at which the case will be heard or if the case will be heard in camp, the place at which it will probably be heard.

Note A course which has much to commend it is the setting a part of certain days in the week exclusively for judicial work. Officers must decide themselves whether to adopt this arrangement or not, but they will do well to remember that there are obvious advantages in fixing and notifying certain days on which the public will have a reasonable certainty of finding them in a position to take up cases at regular hours.

10. *Cause list to be affixed in court house.*—The cause list shall be affixed in some conspicuous place in the court house

11. *Cause list to be maintained in headquarters when court held away from headquarters.*—Whenever the court is held away from headquarters arrangements shall be made for the maintenance of the cause list at headquarters.

12. *Hearing of cases in camp.*—If on the day appointed for the hearing of case in camp the court is not sitting at the place specified a fresh date and place shall be fixed for hearing the case or the case shall be adjourned.

13. *Date and place should be stated in summons when parties summoned in camp.*—When parties are summoned to appear in camp the place as well as the date shall always be stated in the summons.

CHAPTER II.

Notes

The rules contained in parts (A), (B), (C) and (D) of this Chapter are meant to regulate the procedure to be followed by any Court or officer subordinate to the Board of Revenue, required or empowered under the provisions of this Act to take any action with regard to the proceedings under the Act.

Part (A) contains provisions regarding Original suits and applications. Part (B) Contains provisions for procedure to be followed by the Appellate Authorities subordinate to the Board of Revenue. Part (C) and (D) Contain provisions for regulating procedure for presentation and appearance in respect of all proceedings before subordinate Revenue Courts and Officers.

(A)—Suits and appeals in general.

14. *Paper for pleadings, applications and petitions*—All pleadings, applications and petitions of whatsoever nature and also Powers of Attorney and certificates of pleaders or Revenue Agents

filed in Revenue Courts shall be written in a legible hand or type-written on Government water-marked paper only one side of the paper being used and a quarter margin together one inch of space at the top and bottom of each being left for binding:

Provided that when saleable forms have been prescribed for any purpose they shall be used, if available:

Provided also that when Government water-marked is not available, courts may accept pleadings or petitions on stout durable foolscaps size paper.

15. *Names and parentage etc. of parties to be written legibly.*—In every pleading or petition, the names, parentage and residence of parties shall be written in bold and clear hand writing.

16. *Heading of pleadings and applications.*—The names of parties shall bear consecutive numbers and a separate line shall be allotted to the name and description of each person.

17. *Separate applications for distinct subject matter.*—Separate applications shall be made in regard to distinct subject matters. No application containing argumentative matter, for example quotations and discussion of the effect of Section of Acts or of certain rulings of the High Court or the Board, shall be placed on record. They shall be returned to the applicants without any order except an endorsement that the application is returned.

18. *Form of application.*—Every application, petition, process, notice, order, proceedings in or relating to a suit from the institution to the final execution shall bear on the right hand top on first page—

(i) the name of the court in which the suit or application was instituted,

(ii) the subject matter of the suit or application;

(iii) the names of the parties to the suit.

19. *Opposite party to be given copies of written statements etc.*—The party filing any of the following papers in a case shall file a written acknowledgment from the opposite party or his counsel of having received a copy thereof and also of the affidavit if any accompanying such paper and on default the court shall cause a copy to be furnished immediately or served as soon as possible on such opposite party or his counsel at the cost of the party filing the paper:—

(i) a written statement,

(ii) an objection to the execution of a decree, or order,

(iii) an application for amendments of any pleading,

(iv) an application for appointment of a receiver or a Commissioner,

(v) an application for amendment of a decree,

(vi) an application for remitting or setting aside an award and an objection to an award, and

(vii) an application for the grant of a temporary injunction:

Provided that the Presiding Officer if he is of the opinion that a copy of any other paper should be supplied to the opposite

party may pass such orders about copy being furnished to the opposite party as he deems fit.

20. *Amendment in pleadings how made.*—An application for amendment made under Order 1 Rule 10, Order 6 Rule 17, Order 22 Civil Procedure Code shall also contain all consequential amendments.

21. *Rejection of application.*—The Presiding Officer shall reject the application if it is not in accordance with the law or these rules.

22. *Amendment when a party dies pendente lite*—When a party dies pendente lite a note to that effect shall be added against the name of the party and necessary consequential amendments in the body of the petition or pleading shall be made as prayed in rule 20.

23. *Numbering on substitution.*—When the heirs of a party are substituted for him they shall be entered and numbered as follows:—

If the serial number of the deceased party was, say 3, his heirs will be numbered as 3/1, 3/2 and so on. If any party numbered as 3/1 dies his heirs will be numbered as 3/1/1, 3/1/2 and so on.

24. *Return of Vakalatnama with plaint.*—When returning a plaint for presentation to a proper court, the court may order the plaintiff to file a copy of the plaint to be put on record in place of the plaint. When a plaint is returned to a pleader or a recognised Agent of the plaintiffs, the authority executed in his favour shall also be returned to him.

25. *Return of plaints and Petitions.*—No application which has been filed in a court shall be returned for presentation to a proper court.

26. *Written statements.*—Written statements shall be as brief as the nature of the case admits. They should not be argumentative but should be confirmed as much as possible to a single narrative of the fact which the party presenting the written statement believes to be material to the case and which he believed he will be able to prove.

Division and numbering of paragraphs of a written statement. Every written statement where necessary be divided into paragraphs numbered consecutively and each paragraph must contain, as nearly as may be, a separate allegation.

27. *Written statements when not accepted.*—No written statement which does not fulfil these conditions should be accepted but the court should proceed in accordance with the rule 16 of the Order 6 of the Code of Civil Procedure.

(B)—*Appeals and applications.*

28. *General Heading of Memorandum of appeals or applications.*—Every Memorandum of appeal or application for revision or review shall be in the language of the Court fairly and legibly written or typewritten provided with quarter margin on one side

only on the Government water-marked paper and shall bear the general heading "In the Court of.....and shall have written immediately below the heading the following:—

(a) In the case of a Memorandum of appeal or application for review. The description such as first appeal, second appeal or application for review as the case may be followed by the Section and the Act or by the Rule under which it is filed and words "Noof (year).....,and

(b) In the case of other applications. Revenue Miscellaneous case No. for year section Act or Rule under which it is fixed:

Provided that the Court may, when considered necessary, permit any other paper of foolscap size or both the sides to be used for the purpose.

29. *Contents of Memorandum of appeal or application for review or revision.*—Every memorandum of appeal or application for review shall state—

(a) the name and address of the appellant or applicant and whether he was plaintiff or defendant, applicant or opposite party in the court of first instance,

(b) the name and address of each person whom it is proposed to join as respondents or opposite party and whether he was plaintiff, defendant, applicant or appellant or opposite party in the court of first instance,

(c) the name of the court by which and the name of the Presiding Officer by whom the decree or order objected to was made,

(d) the number and description of the case,

(e) the date when such order or decree was made,

(f) the grounds of objections on such order,

(g) the precise relief sought; and

(h) value for the purpose of jurisdiction and court fees.

30. *Documents to accompany Memorandum of appeal Revision application.*—Every memorandum of appeal shall be accompanied by—

(a) a copy of the decree or order against which the appeal or application is directed;

(b) a copy of the judgment upon which such decree or order is founded;

(c) a copy of the judgment of the court of the first instance whether the appeal or application is directed against an appellate order or decree, and

(d) in the case of memorandum of appeal, which is filed after the expiry of the period of limitation, an application supported by the affidavit for extension of the period of limitation.

31. *Memorandum of appeal or objection or application to be accompanied by copies thereof.*—Every memorandum of appeal or application for review shall be accompanied by as many typed copies thereof as there may be parties to be served.

It shall be deemed to be sufficient compliance with this rule if the person presenting the memorandum of application gives a written undertaking to supply the necessary copies within three days of its admission.

32. *Penalty for non-compliance.*—If the requisite copies are not supplied within such time or within such further time as on sufficient cause shown may be allowed by the Court the memorandum or an application shall be rejected.

No order shall issue from the Board on such memorandum or application until the required copies have been supplied.

33. *Affidavits to accompany certain applications.*—The following applications shall be accompanied by an affidavit setting out in the form of a narrative the material facts and the circumstances including names and dates where necessary on which the applicant relies, namely:—

1. An application for review made on ground of discovery of new and important matter or evidence or any other sufficient reason;

2. An application for stay of execution proceedings;

3. An application for vacating of an order for stay;

4. An application for the attachment before judgment or an injunction;

5. An application for appointment or discharge of a receiver;

6. An application for the re-admission or restoration of an appeal or application dismissed in default of appearance or for the setting aside an *ex parte* order or decree;

7. An application for substitution of parties or for a note to be made in the record when the legal representative of the party is on the record or when a party has died without leaving any legal representatives;

8. An application for transfer of a case;

9. Applications for appointment of a guardian *ad litem* next friend;

10. Application by way of complaint against a legal practitioner or Revenue Agent;

11. Application under section 5 of the Limitation Act;

12. Any other application stating all facts on the basis of which an order is sought or any other application which is required by any rules or law to be supported by an affidavit. The court may call for an affidavit in any other matter coming before it or him.

34. *Prayer for an order of interlocutory nature.*—A prayer for stay of execution or proceedings or for the vacating of an order

staying execution or for admitting evidence or for any other order of an interlocutory nature shall not be contained in the memorandum of appeal or the application for review to which it relates but shall be made by a separate application.

35. *General Heading of applications in a pending case.*—Every application made in a case pending in a Court shall have written on it immediately below the heading the following, namely:—

Revenue Miscellaneous application No of
in (subject and particulars of the pending case).

36. *Full description of the parties.*—Every person presenting an application or arrayed as an opposite party therein shall be described with such particulars as will ensure his clear indication such as his full name, his father's name, his rank or degree in life occupation or trade and his true place of residence with correct residential address.

37. *Application to be divided into paragraphs.*—Every application containing a statement of facts shall be divided into paragraphs which shall be numbered consecutively and each paragraph shall, as nearly as may be, be confined to a distinct portion of the subject.

38. *Certain grounds of appeal to be certified.*—If one of the grounds of appeal be that there is no evidence or admission on the record to support the decree the fact shall be mentioned in the memorandum which shall also state the material finding or findings in support of which there is no evidence or admission on the record. Such ground shall not be allowed to be urged unless the Advocate for the appellant has certified under his hand before the hearing of the appeal that he has examined the record and that the ground is well founded.

39. *Affidavit in reply.*—Any person opposing the grant of an application or showing cause against an order may bring before the Court any facts or circumstances not contained in the application or affidavit of the other party by an affidavit containing in the form of a narrative the material facts and circumstances on which he relies.

40. *Affidavit in review application.*—The affidavit accompanying an application for review on the ground of the discovery of new and important matter or evidence shall be made by the applicant himself stating in clear terms what such new or important matter or evidence is, the effect or purport thereof, how the same after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made and how and when he came to know of it or became able to produce it.

41. *Affidavit in an application for stay.*—The affidavit accompanying an application for stay of execution of or proceedings under a decree or order shall contain such of the following particulars as may be material to such application, namely:—

(a) the date of the decree or order,

(b) the particulars and nature of the suit to which the proceedings relate and the court to which the stay order is to be communicated,

(c) the date of the order for sale, if any,

(d) the date fixed for the sale, if any,

(e) the grounds upon which the stay is sought, and

(f) where stay is sought under rule 5 (i) of Order XLI of the Code, the facts necessary to satisfy the Court as to the matters mentioned in sub-rule (3) of that.

42. *Advocates' Certificate as to sufficiency of Court fee.*—

Where an application for stay of execution of or proceedings under, a decree is presented through an advocate, attorney, vakil, pleader or Revenue Agent, before the admission of the appeal in which the application is made, it shall also bear a certificate of such Advocate stating that to the best of his knowledge and belief the full court fee payable on the memorandum of appeal has been paid.

43. *Affidavit in application for readmission or the setting aside of an ex-parte decree.*—The affidavit accompanying an application for the readmission of an appeal or application dismissed for default of appearance, shall state the circumstances in which such default was made, and whether or not the party concerned had previous to such dismissal engaged an Advocate to conduct such appeal or application. If an Advocate had been so engaged the affidavit shall further state, on the personal knowledge of the deponent and not merely on his information and belief, the name of such advocate, the date when he was engaged, the amount of fee agreed to be paid and whether full fee had been paid to him before the date of such dismissal.

These provisions shall, with necessary adaptations and modifications, apply to an affidavit accompanying an application for the setting aside of an *ex-parte* decree or order.

44. *Affidavit in application for substitution.*—The affidavit accompanying an application to bring on record the legal representatives of a deceased party shall state the precise date of the death of the party concerned.

45. *Affidavit in application for appointment of a guardian or next friend.*—The affidavit accompanying an application for the appointment of a guardian ad litem or next friend of a minor shall state—

(a) whether or not the minor has a guardian appointed under the Guardian and Wards Act or under any other Act and if so, his name and address,

(b) the name and address of the father of other natural guardian or the minor,

(c) the name and address of the person in whose care the minor is living,

(d) how the person sought to be appointed guardian or next friend is related to the minor,

(e) that the person sought to be appointed guardian or next friend has no interest in the matters of controversy in the case adverse to that of the minor and that he is a fit person to be so appointed, and

(f) whether the minor is less than ten years of age.

The above provisions shall apply with necessary adaptations and modifications to an affidavit accompanying an application for appointment of a guardian ad litem and next friend of a person of unsound mind.

46. *Defective application or Memorandum of appeal or objection may not be received.*—No application or memorandum of appeal or objection shall be received if it is not in the proper form or it is not accompanied by the necessary documents:

Provided that Court may receive it and for sufficient cause shown, grant such time as it may consider proper for supplying such documents or removing such defects: and

Provided further that nothing done under the first proviso shall have the effect of extending the period of limitation in the case of a memorandum of appeal where the copy of the judgment or decree or formal order is not filed within the prescribed time.

If the required documents are not supplied or the defects are not removed within the time allowed by the Court the application or memorandum of appeal shall be rejected.

47. *Certain copies not to be returned.*—No copy of a judgment, decree or formal order accompanying a memorandum of appeal or application for review shall be returned unless such memorandum or application itself is ordered to be returned.

(C)—Presentation.

48. *Application or petition to have name and signature.*—Every plaint, memorandum, application or petition shall at the time of presentation bear the name and also full signatures or the thumb mark of the person actually presenting the same together with the date of presentation.

49. *Persons from whom applications may be received.*—Except an application for copy, no application or petition and no pleading required or authorised by law to be made by party in a court shall be received from any person other than the party himself, his advocate pleader or his recognised agent or a revenue agent.

50. *Registered Clerks.*—Registered clerks can present such applications as they may be authorised to present under the rules.

51. *Applications received by post.*—Every plaint, memorandum of application, appeal or petition, not being an application for a copy, shall be returned to the sender with a note that it should be presented according to law:

Provided that necessary postage stamps have been received with such application or petition; otherwise it shall be filed in the file book.

52. *Institution of proceedings in court.*—Every proceeding may be instituted in any revenue court by presenting the plaint,

application or appeal before the presiding officer of the court having jurisdiction in the matter.

53. *Institution in case of absence of the presiding officer.*—During the absence of the Presiding Officer from his headquarters, such plaint, application or appeal may be presented to the officer incharge of such office or to such other officer as may be appointed in this behalf:

Provided that where a date has been fixed for hearing of a case an application relating to any matter connected with the conduct of the case or any proceeding in connection therewith, shall not be presented to any authority other than the court itself.

54. *Particulars to be noted on presentation application etc.*—When any plaint, memorandum or application or any pleading has been presented there shall be entered on its back by the officer mentioned in paragraphs 52 and 53:—

- (i) the date of presentation,
- (ii) the name of the presenter, and
- (iii) the court fee paid.

55. *Examination of plaint or application when received.*—When a plaint or an application is received and before the defendant is summoned, the Reader or the Ahalmad shall carefully examine and report the following points:—

1. Whether it is properly stamped,
2. Whether the facts stated if approved or admitted disclose a cause of action,
3. Whether the suit appears from the statement in the plaint to be barred by any rule of law,
4. Whether the plaint is so drawn up as to dispose of finally the matter in dispute and prevent further litigation,
5. Whether the parties are all on the record and properly arranged,
6. Whether the plaint contains superfluous matter or is otherwise prolix, and
7. Whether the provisions of order 7 of the Code of Civil Procedure have been duly observed.

(D)—*Appearance.*

56. *Appearance to be through recognised Agents.*—Any appearance or act in any Revenue Court required or authorised by any law to be made or done by a party in such a court may, except when otherwise expressly provided by any law for the time being in force, be made or done by the party in person or by his recognised agent or by a legal practitioner or a Revenue agent appearing or acting as the case may be on his behalf:

Provided that such appearance shall if the court so directs be made by the party in person.

57. *No party to be ordered in person unless residing within certain limits.*—No party shall be ordered to appear in person unless he resides—

(a) within the local limits of the jurisdiction of the Court,
(b) without such limits but at a place less than 50 miles or where there is a railway or other public conveyance for 5/6ths of the distance between the place where he resides and the place where the court is situated, at less than 200 miles distance from the court house.

58. *Personal attendance not to be insisted on.*—The personal appearance of plaintiff or defendant should not be insisted on when there is reason to believe that he is not personally acquainted with the material facts.

59. *Personal attendance of the parties.*—(a) Where the court sees reason to require personal appearance of the defendant, the summons shall order him to appear in person in the court on the date therein specified.

(6) Where the court sees reason to require to personal appearance of the plaintiff on the same day, it shall make an order for such an appearance.

60. *Legal practitioner acting for any one should file a vakalatnama.*—No legal practitioner shall act for any person in a court, unless he has been appointed for the purpose by such person by vakalat-nama signed by such person or by his recognised agent or by some other person duly authorised by or under a power of attorney to make such appointment:

Provided that a legal practitioner when unable personally to attend to a case in which he is briefed may hand over the brief to another legal practitioner without the latter filing a vakalat-nama or mukhtar-nama and the fees to whomsoever paid, shall, if duly certified, be taxable costs.

Note:—A legal practitioner shall not be deemed to act if he only pleads, in the later case he should file a memorandum of appearance as required under rule 4 (5) of Order III of Schedule I to the Code of Civil Procedure, 1908.

61. *Registered clerks of practising lawyers.*—Revenue Courts shall allow the registered clerks of lawyers practising before them—

(1) to present—(a) applications signed by their employer for—

- (i) copies;
- (ii) return of documents;
- (iii) repayment of deposits;
- (iv) inspection of records;
- (d) all applications similarly signed of a routine nature;
- (2) to take delivery of copies;
- (3) to tender money;
- (4) to identify persons verifying affidavits;
- (5) to take notes from cause lists;
- (6) to present appeals on behalf of employers; and
- (7) to present plaints on behalf of employers;

Provided that these clerks shall not be allowed to inspect records

*(E) Documents.**Notes.*

Section 57 of the Rajasthan Land Revenue Act reading as under empowers the Revenue Courts or Officers to require the production of documents. Rules in this part (except 91, 92 and 93) regulate the production of such documents and the manner in which the same shall be dealt with when produced. The provisions of Civil Procedure Code have also been made applicable in Certain cases as referred to in the body of the specific rules.

(1) Subject to the provisions of sections 132 and 133 of the Code of Civil Procedure, 1908 (Central Act V of 1908) and rules made under this Act, every revenue court or officer shall have power to summon any person whose attendance is considered necessary either to be examined as a party or to give evidence as a witness or to produce any document for the purposes of any inquiry or case arising under this Act or any other enactment for the time being in force.

(2) A summons to produce documents may be for the production of certain specified documents or for the production of all documents of a certain description in the possession or power of the person summoned.

(3) All persons so summoned shall be bound to attend, either in person or by an authorised agent, as such court or officer may direct,

and to state the truth upon any subject respecting which they are examined or make statements,

and to produce such documents and other things as may be required.

(4) If any person, on whom a summons has been served, fails to comply with the summons, the court or officer by whom the summons has been issued may issue a bailable warrant for the arrest of such person.

(5) Any person present may be required by any revenue court or officer to give evidence or to produce any document then and there in his possession or power.

62. *Translation to be filed with certain documents.*—Every document produced by a party or his witness not written in Hindi or in English shall be accompanied by a correct translation of the document in Hindi written in the Devnagari script. The translation shall bear a certificate of the party's lawyer to the effect that the translation is correct. If the party is not represented by a lawyer, the court shall have the translation certified by any person appointed by it in this behalf at the cost of the party concerned

63. *Opposite party to record admission or denial on documents.*—A party desiring to produce any document in court shall, before producing it in court, obtain admission or denial recorded on the back of the document by the opposite party's lawyer. If the opposite party is not represented by a lawyer, the court shall get admission or denial recorded by the party in its presence and may, for the purpose, examine the party.

64. *List to accompany all documents whenever filed.*—The documents to be produced in a case shall be entered in a list to be filed in the court and no document whensoever produced, shall be received unless so entered. The list as well as the document shall be immediately entered in the general index.

65. *Statement about erasures and admissions.*—Whenever any private document, other than a registered document or certified copy, containing erasures, additions or interlineations is produced by a party to a case it shall be accompanied by a statement clearly

describing each such erasure addition or interlineation, and signed by such party. Reference to such statement shall be made in the list with which the paper is filed.

66. *Small documents and those of historic value.*—Small documents when filed in a court shall be filed pasted on a paper equal to the size of the record, and the margin of the paper should be stitched to the file so that no part of the document is concealed by the stitching. If a document contains writing both on the front and the back it should be kept in a separate cover which should be stitched to the file at the proper place leaving the main document untouched.

Note.—Care should be exercised in dealing with documents of historic or antiquarian value, and every possible endeavour should be made to prevent thier being defaced by endorsement or exhibit marks or by having the seal of the court impressed on them. Instructions from higher authority should be sought if necessary.

67. *Affidavit to accompany an application for production of a public record.*—When a party requires the production of a public record, the application shall, unless the court otherwise directs, be accompanied by an affidavit showing how the party requiring the record has satisfied himself that it is material to the suit and why a certified copy of the document can not be produced or will not serve the purpose.

68. *Documents for production of which sanction of the Head of department is necessary.*—When a court decides that in the interests of justice it is necessary that it should have before it a document which can not be produced without the sanction of the head of the department concerned, it shall in its order asking for such document set out as clearly as possible; (a) the facts for the proof of which the production of the document is sought; (b) the exact portion or portions of the document required as evidence of the facts sought to be proved. The court summoning the document shall fix a date for its production, which should not be less than three weeks from the date of issue of summons.

69. *Production of documents in the custody of Police.*—A summon for the production of documents in the custody of the Police should be addressed to the Superintendent of Police concerned and not to the Inspector General.

70. *Production of Municipal and District Board's records.*—When duly authenticated and certified copies of documents in the possession of Municipal and District Boards are admissible in evidence, the court shall not send for the original records unless, after perusal of copies filed, the court is satisfied that the production of the original is absolutely necessary.

71. *Post Office record not to be unnecessarily disclosed.*—When any journal or other record of a post office is produced in court, the court shall not permit any portion of such journal or

record to be disclosed, other than the portion or portions which seem to the court necessary for the determination of the case then before it.

72. *Settlement records.*—When a court requires the production of any settlement record in which the Settlement Officer acted in a judicial capacity, it shall be summoned in the manner provided by Order XIII, rule 10. In other cases the procedure prescribed in Order XVI, rule 6 shall be followed.

73. *Summons to produce settlement record.*—The summons to produce such documents shall be issued to the Collector or the Settlement Officer having custody of the record, who may send the document by messenger or registered post.

74. *Payment of postage fee etc.*—The payment of postage and registration fees or of travelling and other expenses for messengers, incurred in the transmission of, or requisition for records, shall be paid ordinarily by the party at whose instance the expense is incurred.

75. *Covers of documents received by registered post to be retained.*—When a document of any kind connected with a judicial case is received under a registered cover, the cover shall not be destroyed, but shall be attached to the file of proceedings in the case to which the document refers.

76. *Documents produced how to be dealt with.*—All documents produced must be received by the court and must be dealt with in one or other of the following ways, viz:—

- (a) returned;
- (b) placed on the record, or
- (c) impounded.

77. *Duty of court upon production of document.*—The court shall inspect and consider all documents as soon as possible after issues are framed and before a evidence is produced, as shall—

(a) where they are held by the court under Order XIII, rule 3, to be irrelevant or otherwise, inadmissible, forthwith reject them;

(b) where not rejected under Order XIII, rule 3 and held to be relevant and admissible in evidence, admit them in evidence mark them as provided in Order XIII, rule 4, and note facts in the records;

(c) if a document, which is admitted in evidence and marked under the provisions of the preceding sub-rule requires to be proved by oral evidence to prove it and the party producing it does not produce any oral evidence to prove it the document at the conclusion of the party's evidence shall be marked by the court in the following manner:—

“No oral evidence in proof of document.”

78. *Admission of genuineness not to be confused with admission of truth of contents.*—When a certified copy of any private document is produced in a court, inquiry shall be made from the opposite party whether he admits that it is a true and correct copy

of the document which he also admits or whether it is a true and correct copy of the document which he denies, or whether it is a true and correct copy of the document, the genuineness of which he admits without admitting the truth of its contents, or whether he denies the correctness of the copy as well as of the document itself.

79. *Proper expression about admission of documents.*—Admission of a document by a party shall be indicated by the endorsement “admitted by the plaintiff” or “Admitted by the defendant”. Admission of a document in evidence by the court shall be indicated by the endorsement “Admitted in evidence”. If any question is raised as to the correctness of a copy and the correctness of it is admitted the endorsement shall be “Correctness of copy admitted”

80. *Endorsement on documents in suits compromised or dismissed for default.*—Documents filed in the suits which are dismissed for default or compromised shall be endorsed with the particulars mentioned in Order XIII, rule 4 (i).

Marking of documents.—(1) Documents produced by a plaintiff and duly admitted in evidence shall be marked with a number, and documents produced by a defendant shall be marked with a number and the letter A, or where there are more than one set of defendants; by the letter A for the first set of defendants, by the letter B for the second and so on. Where a document is produced by order of the court and is not produced by any party, the serial number shall be prefaced by the words “Court Exhibit” or an abbreviation of the same.

(2) Where a document is produced by a witness at the instance of a party, the number of the witness shall be endorsed thereon, e. g., Ex. 1/P.W. 1, if it is produced by the plaintiff’s first witness, and Ex. A. i/D.W. 1, if it is produced by the defendant’s first witness.

(3) The party at whose instance a document is produced by a witness shall deposit the cost of the preparation of a certified copy of that document before it is placed on the record. The office shall then prepare a certified copy and keep it with the original document. If the witness wants to take back his document after evidence relating to the document has been led, it shall be returned to him, unless there are special reasons for keeping the original on the record:

Provided that a certified copy shall not be necessary where the document is written in a language other than Hindi or English, and a translation has been filed.

(4) Every exhibit mark shall be initialled and dated by the Presiding Officer.

81. *Marking of documents of same nature.*—Where a number of documents of the same nature are admitted, as for example, a series of receipts for rent, or a series of entries in the same account book the whole series should bear one figure or capital

letter a small figure or letter in brackets being added to distinguish each paper of the series.

82. *Return of certain documents.*—A document which is rejected as irrelevant or otherwise inadmissible under order XIII, rule 8, be returned to the person producing it or to his pleader, and such person or pleader shall give a receipt for the same. A pleader is bound to take back a document when ordered by the court to do so.

83. *Retention of impounded and certain other documents.*—Documents impounded shall be dealt with in accordance with Order XIII, rule 8, and the word 'impounded' should be noted in red ink across appropriate columns of the list of documents filed.

84. *Marking of documents on refusal by party and his pleaders.*—Should either party or his pleader entitled to receive a document, under rules, be absent or for good cause unwilling to receive it, it shall be marked "not part of the record," as note of the same being made in appropriate column of the list of documents filed.

85. *Care of impounded documents.*—No document which the court has ordered to be impounded or which is required by law to be filed and preserved shall be allowed to pass out of the custody of the court, and no document produced for the purpose of comparison of signature, writing or seal shall be returned within the periods specified in Order XIII, rule 9 (i).

86. *Time for the return of documents.*—With reference to Order XIII, rule (1) (b), an interval of four months shall ordinarily be allowed to intervene from the date of decree before the documents whether original or copies, filed in a case are returned to the parties who produced them.

87. *Cost of proving documents.*—When a party has, without good reason, refused to admit the genuineness of a document, the court may order it to bear the costs incurred in proving it, irrespective of the result of the suit or proceeding.

88. *Return of documents.*—A general notice shall be pasted in a conspicuous part of every court house, giving warning that all documents filed in any suit or proceeding which may legally be returned, must be withdrawn as soon as the decree or order made in the suit or proceeding has become final or after four months of the decree or order, whichever is longer, and that if they are not so withdrawn, they will remain at the risk of the person concerned.

89. *Books of business.*—If a document be an entry in a letter book, a shop book, or other account in current use or an entry in a public record produced from a public office or by public officer, a copy of the entry, certified in the manner required by law, shall be substituted on the record before the book, account or record is returned and the necessary endorsement should be made thereon, as required by Order XIII, rule 5.

Notes

The rules 90, 91, 92, and 93 are meant for determination of issues arising in the proceedings before the subordinate Revenue Courts and Officers.

90. *Issues to be framed the same day the written statements are filed.*—Issues shall be framed so far as possible the same day the written statements are filed.

91. *Properties issues.*—Each issue should be single, material and certain in its quality. It should not be vague and unnecessarily wide

92. *Issues of fact and law.*—Issues of law and fact should be separately framed. Mixed issues of law and fact should be carefully avoided. Each issue should be clearly marked as one of 'fact' or of 'law' and the party on whom lies the burden of proof should be stated. Issues of law shall be framed in a general form and shall be discussed as an abstract question of law quite apart from the facts of a particular case in which such issues arise.

93. *Language to be used in framing issues.*—The fixing an issue of fact the most precise, accurate, and specific language should be used regarding time, place, persons, things and circumstances whenever material. In fixing an issue of law the language shall be accurate, technical, and precise so that the issue may be capable of being understood and answered, without further explanation, by one learned in the law. It is not necessary to frame issues which do not affect the final order in the suit.

Illustration:—The issues is 'plaintiff's title superior to defendant' is incapable of being understood or answered, but the issue 'under the Hindu Law of Inheritance does a brother exclude a brother's son' refer directly to the law in question and is not open to this objection.

(F) Commissions

94. *Prohibition of Commissions fees to Government Officers.*—The acceptance by Revenue Officers or Ministerial Officers of courts of fees for executing commissions is prohibited.

95. *Commission not to be issued to Collector or any officer subordinate to Collector without his consent.*—No commission shall issue to a Collector or to any officer subordinate to a Collector unless the consent of the Collector has been obtained previously. Readers, Nazirs, Copyists, Ahalmads, Pleaders' clerks and Petition writers shall not be employed as Commissioners.

96. *List of Commissioners.*—Every District Collector shall maintain a separate list of legal practitioners for each place where any Revenue Court or courts are located authorised to execute commissions. The lists shall be prepared by the District Collector in consultation with the Revenue Officers of such places. The list may be sub-divided into three parts, namely, for accounts, for survey, and for all other purposes. The number of Commissioners in each part shall be fixed by the Collector.

97. *Commissions for survey and Accounts.*—Care shall be taken to include in the list of Commissioners for survey and accounts only those who are conversant with such work.

98. *List of Commissioners to be maintained by the District Office.*—The list of Commissioners shall be maintained in the office of the Collector at the headquarters and of the Senior most Revenue Officer at other places, and all commissions issued shall be entered in it. Commissions shall be issued in strict order of rotation in respect of each part unless there are reasons to the contrary.

99. *Commission not to be issued to any other person and revision of the list.*—No commission shall be issued to any person whose name is not entered in these lists except for special reasons. The lists shall be revised once a year.

100. *Commission to be issued to whom.*—A commission for the examination of any person including one for the administration of a special oath shall ordinarily be issued to a legal practitioner either before the court issuing the commission or before the court within whose jurisdiction the witness resides. Such commissions may, if it is considered desirable, also be issued to a court (not being a High Court or Revenue Board) within the local limits of whose jurisdiction the witness resides.

101. *Commission for local investigation and for cases requiring special and technical knowledge.*—A commission for making a local investigation necessitating the taking of evidence shall ordinarily be issued to a legal practitioner, and in cases requiring some special and technical knowledge, to a person possessing the necessary technical and special knowledge.

102. *Commission to examine accounts.*—A commission to examine accounts may be issued to any person (including a legal practitioner) who is a competent Accountant.

103. *Fee for the issue of a commission.*—The court shall ordinarily require the party asking for the issue of a commission to deposit a fee to be fixed by the court before the issue of the commission. The fees shall be fixed with due regard to the circumstances of the case. But in no case it shall be excessive.

104. *Additional expenses and protracted investigation.*—In the case of protracted investigation, which extends beyond the time originally calculated, the court may suspend the commission until a further sum sufficient to cover the additional expense is paid into court.

105. *Remuneration to examine a witness.*—For the remuneration of a legal practitioner to whom a commission to examine a witness is issued, the Court should require the party applying to pay a fee which shall ordinarily be ten rupees for the first witness and six rupees for each subsequent witness to be examined.

106. *Additional remuneration when commission can not be executed.*—Where a commission cannot be executed for reasons beyond the control of the commissioner, the court may order payment of such fees as may appear to be reasonable having regard to the time spent by the Commissioner.

107. *Particulars to be given in the order for local investigation*.—When issuing a commission for making a local investigation under Order XXVI, rule 9, the court shall define the points on which the Commissioner has to report. No point which can conveniently and ought to be substantiated by the parties by evidence at the trial shall be referred to the Commissioner.

108. *Time for execution of commission*.—A reasonable time shall be fixed for execution of every commission and the court shall see that it is executed within such time unless the court for sufficient reason extends the time.

109. *Payment in advance of expenses for issue of commission*.—(1) Whenever a commission is issued to any court, the court, issuing the same shall require the party applying for issue to pay into court before issue—

(a) where such witness is to be examined by a court, the travelling and other expenses likely to be incurred by the witness;

(b) in other cases such additional sum also as it may consider necessary for the employment of a legal practitioner by the court to which the commission is issued.

(2) The court issuing the commission may require the party concerned to deposit such further document as the court to which the commission is sent may lawfully require.

(3) Moneys thus deposited shall be entered in the Register of petty receipts and repayments.

A Commissioner shall in his report always give reason or data on which he bases his opinion.

110. *Commissioners' responsibility*.—A Commissioner shall not issue copy of any map or report prepared by him or of evidence taken by him or of any portion thereof, to any party.

111. *Local inspection by Presiding Officer*.—When a Presiding Officer of a court considers it necessary to make local inspection, it shall invariably during the inspection or as soon as is convenient thereafter record a note to be placed on the file, the purpose of the inspection and all facts perceived or impressions received in the course thereof which are likely to affect its decision in the case. This note shall as far as possible be prepared in the presence of parties or their counsel. Where this is not possible, the parties or their counsel shall be informed of it.

(G) Adjournments.

Notes.

The rules in this part are based on section 64 of the Rajasthan Land Revenue Act.

112. *Date once fixed to be adhered to*.—A date for hearing, once fixed, shall, so far as practicable, be strictly adhered to, and no adjournment shall be granted except for good cause. In no case, when one of the parties is ready to proceed, should an adjournment be granted at the request of the opposite party, except

on condition that a sum, commensurate with the costs which in the opinion of the court, the party ready to proceed has incurred on the date of the adjournment, be paid as and when directed by the court. The amount of costs for witnesses so paid shall not be taxed in the decree. In all cases when an adjournment is granted, the Presiding Officer shall record his reasons.

113. *Carelessness or negligence not to be a good cause for adjournment.*—The fact, that a party is through carelessness or negligence not ready to go on with a suit, is not in itself good cause for adjournment.

114. *No adjournment for obtaining copies of document etc. to be granted.*—The rules regarding the filing of documents and exhibits should be strictly observed, and parties have no right to ask for adjournments in order to obtain copies of documents, if by the exercise of diligence they could have procured them in time.

115. *Calling a report from an Officer no ground for adjournment.*—A hearing should not be adjourned to call for a written report from an officer of the court, unless such report be absolutely necessary and cannot be obtained the same day.

116. *Priority in cases to which soldiers, sailors or Airmen are parties.*—No case in which witnesses are present shall be allowed to stand out of its place in the list except for special reasons to be recorded by the Presiding Officer under his hand;

Provided that every court shall bring to a hearing without regard to the order in which they may have been filed, all suits in which an officer, soldier, sailor or airman or person who may have obtained leave of absence from the Army, Navy or Air Force, may be a party, and shall decide such suits as speedily as may be convenient and consistent with the due administration of justice.

117. *Priority to cases which are holding up other cases.*—Suits, appeals, or applications for the decision of which other cases have been held up shall be given priority, and they shall on no account be adjourned except for good reasons.

118. *Priority to cases (Uncontested).*—A Presiding Officer before beginning his work for the day shall go through the cause-list and ordinarily dispose of all uncontested work first, and then begin the contested work.

119. *Fixing of dates*—The first date of hearing in a case shall not ordinarily be fixed more than two months ahead. But in a case in which the Government the Court of Wards, or any Railway Administration is a party, the date for the first hearing shall be fixed for a day not less than two months after the institution of the suit; and if necessary, the date of hearing may be changed if counsel can show that instructions have not been received or that sufficient time for instructions and necessary inquiries have not been allowed.

120. *Fixing of dates for final hearing.*—Before fixing a date for final hearing the Presiding Officer, shall after consulting

pleaders for both sides, if necessary make a reasonable estimate as to the time required for the disposal of each particular case.

121. *Party's fault in non-service of summons on witnesses.*—In all cases the court shall require a party applying for an adjournment, on the ground that a summons has not been duly served to show that he applied, where it was possible to so apply, for the issue of the summons in time to enable the service to be effected and that he performed every other act required for the issue and service thereof

122. *Duty of parties to procure service of summons on witnesses.*—When a date more than one month ahead is fixed for the examination of witnesses, the parties shall make repeated efforts to procure service of summons on their witnesses. It shall be their duty in the absence of any special order of the court to apply for the issue of summons within ten days of the order fixing the date for examination of witnesses and to make subsequent applications within seven days of the return to the court of a summons which has not been duly served.

123. *Procedure when summons returned unserved for wrong or insufficient address of a witness.*—Where a summons has been returned unserved by reason of a wrong or insufficient address of the witness the court may, before adjourning the case for issue of a fresh summons, require the party applying for the same to satisfy the court, by affidavit or otherwise, that such party was not in a position to know the correct address at the date when he applied for issue of the former summons, and also that the evidence of the witness is really material.

124. *Witnesses in attendance to be examined.*—On the day fixed for recording the evidence of witnesses, the evidence of all witnesses in attendance shall, so far as is possible, be recorded. That some witnesses have not attended is no reason for not recording the evidence of those in attendance. If the examination of all the witnesses is not concluded on the same day, it shall be proceeded with, if possible from day to day.

(H)—*Judgment and Decree.*

125. *Mode of recording judgments.*—To each judgment shall be prefixed a heading specifying the number of the case and the names of all the parties.

126. *Judgment or final order not to be written on order-sheet.*—No court shall write a judgment or final order on the order-sheet, or any paper already on the file, such as pleadings, applications, objections, etc.

127. *Judgment to be written or dictated and signed and attested by the Presiding Officer.*—A judgment may be written or typewritten or dictated but every page of the record of a judgment, not in the handwriting of the Presiding Officer shall be attested by the Presiding Officer's signatures.

128. *Provision of law in certain judgments.*—When plaints are rejected or returned, and in cases disposed of without decree, as also in cases in which decrees are passed without contest, the Presiding Officer shall put on record the section, or order and rule of the relevant law under which the judgment or order is passed.

129. *Reference in judgments to parties and witnesses.*—A reference to a party or a witness shall be by name and number, and not merely by number like P. W. I. or Defdt 1.

Judgments shall contain words in full and not in abbreviated forms except where the abbreviations are well recognised and are in common use, such as a.m., p.m. e.g.

130. *Presiding Officers may take records out of courts.*—Presiding Officers may take record for perusal or writing judgment to their residence but only under proper entries made in a register kept for the purpose by the Reader or other clerk having custody of the record at the time. Records thus taken out of office must be returned as soon as possible.

131. *Judgments not to be delayed.*—A judgment shall be delivered within a reasonable time after the close of the case which shall not ordinarily exceed one month.

132. *Completed cases to be decided by officer before proceeding on transfer.*—When a Presiding Officer is transferred he shall write out judgments in all cases ripe for decision. When he cannot do so, he shall take the record to his new Station and there finish the judgment and after finishing the judgment there return the record to his successor who shall pronounce them. If owing to the bulk of the record or other important reasons, it be not considered desirable that he should take it with him, the judgment must be written before the transfer takes place.

133. *Decree to be self-contained.*—Every decree and order shall be drawn up in such a manner that in order to the understanding and execution thereof, it may not be necessary to refer to any other document or paper whatever, which is not made part of the decree or order.

134. *Prescribed forms of decrees.*—In all cases in which the form of a decree has been prescribed as far as possible, in the form so prescribed.

135. *Taxing of Diet money of witnesses.*—In taxing costs the diet money of only such witnesses as are actually examined shall be included unless the court directs otherwise.

136. *Drawing up of decrees.*—The decree or formal order shall be drawn up within three days of the date of judgment and shall bear that date. After the decree has been examined, it shall be signed by the Presiding Officer and the date of such signature entered by him immediately beneath the signature.

137. *Contents of decrees (original).*—The Presiding Officer shall see that the decree or formal order drawn up specifies clearly

the relief granted or other determination of the case and contains definite particulars of the claim.

138. *Contents of appellate decrees.*—When an appellate court modifies or reverses the decree of the trial court, the appellate decree shall specify the relief actually granted as the result of such modification or reversal. The Presiding Officer shall satisfy himself before signing the decree that the relief thus specified has been embodied in the decree.

139. *A copy of appellate judgment to be sent to the officer against whose order or decree the appeal was preferred.*—A copy of an appellate judgment sent to the lower courts shall, after noting the result in the appropriate register, be put up for perusal to the officer against whose order or decree the appeal was preferred. Such officer shall return the copy within a fortnight.

140. *Judgments of the court of first instance.*—(a) In writing a judgment the court shall in the opening paragraph, state the names of the parties if they can be conveniently given and the section and the Act under which the case has been filed. It shall then state briefly the case as put forward by each of the parties and shall give necessary particulars in respect of the subject matter of the case especially the number and size of holdings in dispute and the names of persons, their status, rent and period of occupation as entered in the patwari's records.

(b) The court shall thereafter mention the points for determination, or issues, if any have been framed.

(c) In cases in which issues have been framed, the Court shall give its finding or decision with reasons thereof upon each separate issue unless the finding upon any one or more of the issues is sufficient for the decision of the case.

(d) After the issues have been decided the court shall pass final orders in respect of the case as a whole showing whether it has been dismissed or decreed and mentioning specifically the relief to which the plaintiff is entitled.

Note.—Bare lists of documentary evidence and summaries of oral evidence, or the arguments of counsel should not be given in the body of judgment. Where those are required they should be given as an appendix to the judgment.

(e) All judgments whether of courts of first instance or of appellate courts shall be divided into suitable paragraphs which should be numbered serially.

All judicial orders must be self-contained and all important orders must be in the handwriting of the Presiding Officer or type-written and signed by him.

Note.—Thus while a Sub-Divisional Officer may, while passing orders in cases for correction of patwari records, utilise the evidence recorded before the Tehsildar, the final order passed by him must not treat any portion of the

Tehsildar's report as a part of his own order either expressly or by implication.

All orders and judgments whether they are entered on the order sheet or elsewhere and all decrees shall bear the full date i.e. the year as well as the month and date.

141. *Judgment of appellate courts.*—The judgment of an appellate court should after giving a general narrative of the case state the particular points raised before the court in appeal. It should then contain the appellate court's findings on each point separately after considering (1) the views of the lower courts; (2) the arguments of the counsel appearing before the appellate court and (3) the evidence on record. The judgment should then state in clear terms whether the appeal is dismissed or allowed and where the decree appealed from is reversed or varied it should also state clearly the relief which is to be given to the appellant.

Note.—Bare and long summaries of the arguments of counsel and depositions of witnesses should not be given in the body of the judgment.

A court of first appeal must subject the evidence on record regarding the points raised before it in appeal to a fresh examination independently of the appraisal of the evidence by the trial court and its judgment must show that it has done so.

142. *Orders involving change in patwari's papers.*—In any case in which the effect of the order or decree passed involves a change in the patwaris' records the court shall draw up a separate order in the prescribed form giving full details of the entries to be made and entries to be expunged and direct the Tehsildar to have the new entries recorded in the patwari's papers. This order shall be forwarded to the Tehsildar in duplicate, the duplicate copy being prepared with a carbon paper.

The same rule applies to all appellate courts who when transmitting to the lower court a copy of the order passed in appeal, shall attach thereto the order on the prescribed form to which effect is intended to be given provided that when the appellate court merely cancels without altering the order passed by the lower court, it shall be sufficient to give the number and date of the order of the lower court which is cancelled. This order in the prescribed form shall be forwarded to the Tehsildar by the Ahalmad of the original court in duplicate, for necessary action as regards the records.

An entry to the effect that the form duly filled in has been despatched to the Tehsildar lower court, as the case may be, shall be made by the Ahalmad or other officer of the court on the order sheet and the file will not be consigned to the record room till a copy of this form has been returned by the Tehsildar with a note that the order contained therein has been communicated to the Office Kanungo (Land Records Inspector) concerned and that he has pasted a copy of the order for necessary action in his 'Order Book'.

143. *Cost to be included in decrees.*—When in a suit, appeal, or other proceeding, a party is only partly successful, and costs are ordered to be paid in proportion to the success of the party in such suit, appeal or other proceeding, the amount of all taxable costs shall be proportionately reduced.

All decrees shall include the amount of past interest allowed by the court.

In all decrees passed by Revenue Courts, a fee equal to one-eighth of the amount of process fees realised under articles 1 and 2 of the table of fees given in rule (305 of Part II) of the Revenue Court Manual, shall be entered as the fee chargeable by one party against another for costs of drawing the summonses/notices.

In all decrees of revenue courts the following shall be taxed as costs for drawing up a plaint, written statement or a re-joinder in case it has been written by a petition-writer:—

- I. Where the valuation of a suit does not exceed Rs. 50—annas 4.
- II. Where the valuation of a suit exceeds Rs. 50 but not Rs. 250—annas 8.
- III. Where the valuation of a suit exceeds Rs. 250—Re 1.
- IV. Every other suit where it is not possible to estimate at a money value the subject matter in dispute—annas 8.

Notes.

Section 66 of the Act empowers a Revenue Court or Officer to give and apportion costs in respect of the proceedings arising under the Act. This rule prescribes the manner in which such costs shall be determined by the subordinate Revenue Courts or Officers.

CHAPTER III.

Notes

Section 58, 59 and 60 of the Act describe the manner in which summons and notices shall be issued and served. The rules in this chapter are meant to provide guidance for the purposes of these sections of the Act. The procedure Contained in Order V of Civil Procedure Code has also been made applicable wherever necessary.

(A) Summons and other process (General).

144. *Parties to fill summons.*—A party shall file with the plaint, memorandum of appeal or an application requiring the issue of a summons/notice, a printed summons/notice form in duplicate in the Dev Nagri Script, duly filled up except in respect of the date of appearance/hearing and date of issue of the summons/notice. The court may also direct a party in any proceeding to file a summons or notice filled up as above to be served on the opposite party;

Provided that the Presiding Officer may in his discretion direct that such forms in general or any particular such form be filled up entirely in the office of the court.

145. *Dates to be filled by Office.*—In summonses and notices the date of appearance/hearing and the date of issue shall be filled up by the office of the court and the Presiding Officer or the

Reader, to whom such authority may have been delegated, shall sign the summons/notice and also put the date of signature.

146. *Forms to be legibly written and signed by parties.*—The forms shall not be accepted unless filed up in a bold, clear and legible handwriting. The parties, their recognised agents or pleader shall sign the form in the left bottom corner, and will be responsible for the accuracy of the information entered in the forms.

147. *Process to contain name of the issuing courts.*—In every process or order, issued or made, the names of the court and the officer issuing or making it, and of the place and the district where the court locates, shall be legibly written at the top.

148. *Signing of process.*—In all cases all Presiding Officers and Readers shall sign their names distinctly and legibly. No such signature shall be made by means of a stamp.

149. *Form of process.*—Where there are printed forms available for any process, such forms shall invariably be used. Where there is a prescribed form but no printed copies are available a process shall be written in the prescribed form. In cases where there is no prescribed form, a form prescribed for analogous cases, if possible, shall be modified to meet the requirements of the particular case.

150. *When translation to accompany process sent to other courts*—Where a process is sent to the court of a State where Hindi language is not in ordinary official use, a translation, certified by the transmitting court to be correct, into English may be substituted.

151. *Cost of printed saleable forms to be taxed in decrees.*—Cost of printed saleable forms filed by the parties shall be taxed in all decrees.

152. *Contents of Process.*—Before issuing a process, the issuing officer shall satisfy himself that such description of the person for whom the process is intended or in respect of whom or whose person or property it is issued, is entered herein as will enable the process-server without risk of mistake to identify such person or property. The name, father's name, occupation, district, Mohalla, (if any) village or town shall be set forth in the process. Where such description does not appear in the application of the person moving the court to issue the process or in the record, the court shall pass necessary orders.

153. *Time to be allowed in processes to Government Department.*—In all processes issued in any suit or proceeding to which the Government, Court of Wards or a Railway Administration be a party, care shall be taken, that a reasonable time is allowed for communication between the authorities competent to give instructions to the counsel or agent authorised to represent them in court.

154. *Payment of process fees and other expenses.*—Except in so far as is otherwise provided by any rule or specially ordered by a court, no process shall be drawn up or issued for service or execu-

tion, as the case may be, until the fee chargeable under these rules has been paid in court-fee-stamps.

155. *Process fees for notice in execution cases.*—The process fee for issue or notice either under rule 16 or rule 22 of Order XXI shall be paid when the application for execution is presented. After service of notice, if the court directs execution to issue, the fee for attachment or arrest, as the case may be, shall be paid promptly and if the judgment debtor's property is, after the attachment, ordered to be sold, the necessary sale fees shall be deposited.

156. *Process fee deposited in previous execution not to be used in later execution.*—When an applicant for execution of a decree has been disposed of and a fresh application is made, the process fee deposited in connection with the previous execution and not spent shall not be utilized for issue of a fresh process.

157. *Postage for sending processes.*—No charge for postage for transmission of process from one court to another shall be levied from the parties, postal charges being paid by means of service postage stamps by the Court forwarding or making return.

158. *Endorsement on process sent to other courts.*—When a court sends a process for service or execution to any court beyond its jurisdiction, it shall endorse on the process a certificate that the fee chargeable under the rules has been levied.

159. *Service of process from other courts.*—When a process bearing a certificate that the proper fee has been levied, is received by a court from another court in India, the court shall cause it to be served without further charge.

160. *Particulars in record of courts returning summons.*—The courts to which the summons has been sent under order V, rule 21, shall re-transmit it to the court by which it was issued together with—

(i) the Nazir's return and the affidavit for examination on oath of the serving officer;

(ii) the record of further inquiry, if any, by such court;

(iii) where the service has been effected by affixation under Order V, rule 17, a declaration by such court, whether the service is sufficient or not.

161. *Process for service by foreign countries.*—A process meant for service in foreign or commonwealth countries shall be sent through the Board of Revenue to the Ministry of External Affairs and Commonwealth Relations, Government of India.

162. *Directions for processes to be sent to foreign courts.*—The following directions shall be carefully complied with when any processes are to be issued for service in foreign countries (*i. e.* a state or country outside India):—

(a) They shall be drawn up in proper form and type-written. Where printed forms are not used, they shall be written on good durable paper.

(b) They shall be written in English and shall be legible. Such summonses etc., shall not be signed by the Reader but by the Presiding Officer of the Court issuing them and he shall satisfy himself that the documents are correctly addressed and properly sealed. This matter shall not be left to the parties and the Readers.

(c) The names and addresses of the individuals upon whom a process is to be served shall also be stated in the forwarding letter accompanying the process.

(d) All documents not in English shall be accompanied by their translation in English and in addition where the person upon whom the service is desired is not a British subject, by a translation into the language of the country concerned.

(e) The returnable date to be specified in the documents shall be so fixed as to allow sufficient time for execution and return of the documents to India before the date fixed for the next hearing of the suit. In no case shall the returnable date be less than six months after the date on which the documents are finally despatched to the Board of Revenue.

163. *Deposit of expenses in summons to be sent to foreign countries.*—Where a process is issued to any court outside India the court issuing the process shall require the party at whose instance the process is issued to pay in cash (and not in court-fee-stamps), such fee for service as is required by the court to which the process is to be sent and shall transmit the same to such Court, together with, in the case of summons to a witness, reasonable travelling and other expenses.

164. *Process to be executed on receipt of expenses.*—A process issued by any such court shall only be served upon receipt of the process-fee chargeable, and of the expenses payable to the witness under Order XVI, rule 2. The process-fee thus received shall be expended in the purchase of court-fee-stamps to be affixed to the process.

164-A. When any party or his agent presents an application for summoning witnesses, the court shall pass an order directing the clerk concerned to receive payment and return the application to the party concerned with orders that the diet money and other expenses should be paid direct by the party himself to the clerk concerned or his assistant as the case may be. The clerk concerned shall certify the receipt of the said money together with the number of deposit in his register No.maintained under paragraphRevenue Manual on the application and return it to the court. On receipt of the clerk concerned's report the court shall proceed forth with to issue the summons.

(B)—*Process to soldiers and public officers.*

165. *Summons to soldiers, sailors and Airmen.*—A summons to a soldier, sailor or airman, as defendant or as witness, shall be

sent for service to his Commanding Officer. In such cases, sufficient, time shall be given to admit of arrangements being made for the relief of the person summoned.

166. *Summons to Public Officers.*—A summons/notice to a public officer as defendant or as witness shall ordinarily be sent for service to the head of the office in which he is employed.

167. *Intimation to Head of Office when summons sent to public servant.*—In every case where a court sees fit to issue a summons direct to any public officer as witness, simultaneously with the issue of the summons, notice in the prescribed form shall be sent to the head of the office in which the person summoned is employed, in order that arrangements may be made for the performance of the duties of such person.

168. *Intimation to Head of Office when summons sent to public officer* —Where a public officer or soldier, sailor or airman has been summoned under Order V, rule 3, to appear in person through the Head of the Office or the Commanding Officer, in the forwarding letter or in a note on the summons, it shall be stated that the summons should be regarded by such Head of the Office or Commanding Officer also as notice to make arrangements for the performance of the duties of such public officer or soldier, sailor or airman, during his absence.

169. *Public Officer summoned for personal appearance.*—Neither of the preceding two rules shall apply where an officer or a soldier, sailor or airman in the Military, Naval or Air Forces of the Union of India or a Public Officer is summoned as a defendant under Order V, rule 1. In such cases he shall make his own arrangement, if he wishes to appear in court in person.

170. *Sufficient notice to be given for enforcement of personal attendance of a public officer.*—Before the personal attendance of an officer holding a responsible post is enforced, the Presiding Officer shall satisfy himself that his attendance is necessary. If such officer is summoned away from his district, sufficient notice shall be given to him and to his immediate superior to enable arrangements to be made for the discharge of his duties in his absence.

171. *Warrant of arrest of Public servants or Railway servants.*—No warrant of arrest shall ordinarily be executed against any Government servant until notice of the intended arrest has been given to the Head of his Office.

No warrant of arrest shall be executed against any railway servant or any person working on a railway in the service of a contractor till notice of the intended arrest has been given to the proper officer of the railway or to the contractor or his representative.

(C) Service of Process.

172. *Service of summons through Tehsils.*—The service of process issued by Revenue Courts shall ordinarily be done through the Tehsil concerned.

The Tehsildar shall make the best arrangement possible for the registration and prompt service of process.

173. *Issue of Emergent processes.*—Emergent processes shall be issued for service on the day they are received, or at the most on the next day.

174. *Diaries of process servers.*—Every process server shall keep a diary wherein shall be recorded day by day, the time, period and purpose of his attendance, the duties performed, places visited by him together with the time spent there and stopping place for the night. He will obtain the signatures of the patwari or other respectable person of the places visited in attestation of the entries made by him.

175. *Service by special messenger.*—A process may be executed by a special messenger in a case in which the court either *suo moto* or otherwise records an order that for the convenience of the parties or for some other reason, it is expedient that such process shall be executed by a special messenger. A special fee shall be payable for such 'emergent service'. The court shall, at the time of passing the order, declare by whom the fee shall be paid and whether it shall be included in the costs of the suit or be charged to a particular party.

176. *Tonga hire for emergent service.*—In addition to the special fee payable for an emergent process, the court may direct payment by the party concerned of requisite railway fare, tonga hire or any other incidental charges.

177. *Prompt service of processes.*—The prompt issue and service of all summonses to witnesses shall be arranged having regard to the dates fixed for the attendance of such witnesses.

178. *Mode of service of processes.*—The provisions of the Code relating to the service of summonses etc. should be carefully complied with. Attention is drawn in particular to Order V, rules 16, 17 and 18 and Form No. 11 Appendix B as also Order III, rule 5.

The process server should, as far as possible prepare his report on the spot, and attestation of the service should be obtained wherever possible from two respectable residents of the locality in a town or from landlords, headmen, patwaris or neighbours in a village.

Note:—It should be impressed upon the process servers that it is their duty and not of the party concerned unless specially directed by the court in any particular case, to find out the person on whom the process is to be served. It is not necessary for the party to accompany them for identifying that person. They should seek the assistance of the village headman, patwari, chowkidar, etc to find out the person on whom the process is to be served.

179. *Service by publication.*—Recourse to the mode of substituted service by publication in a newspaper shall be had only when service by any other method is considered impracticable.

A careful discretion shall be exercised in selecting the paper in which the publication is to be made. Such papers only should be chosen as are likely to be read by the person to be served.

No summons or notice shall be published in a magazine.

CHAPTER IV.

Arrangement, Preservation and Distribution of Records.

180. *Particulars to be shown on the title page of a record or a part of a record.*—Each record or when such record is divided into parts, each part of such record, shall have a title page (or Sarwaraka) showing the following particulars:—

1. Name of Court,
2. Kind of case,
3. Title of case,
4. Number and year of case,
5. Date of institution,
6. Date of disposal, and
7. Date of consignment to Record Room.

181. *Keeping of parts of a record.*—When a record is divided into parts whether each part shall be kept in a separate file or whether two or more or all the parts of a record shall be stitched together in one file, shall be determined in each case having regard to the nature of the case and the size which the record is likely to attain.

182. *Recording of proceedings, depositions and reports in the Record.*—All proceedings, notes, depositions, memoranda and reports shall be written on foolscap size paper. They shall be so recorded as to leave sufficient margin on each side of the paper, so that any writing may not be covered by the stitching or obliterated by fraying at the edges.

The practice of writing orders, reports, Sharishta, or other matters across the top and along the side of a page is forbidden.

183. *General Index.*—As each case is instituted, the clerk in charge of the record shall prepare a general index which shall be prefixed to the record of every case, and each paper as it is filed, unless otherwise directed in these rules, shall be entered in the index.

The exhibit mark of every document admitted in evidence shall be noted in bold letters and figures on the right hand margin of the index opposite the entry relating to such document.

184. *Order sheet.*—An order sheet in the prescribed form shall be maintained as the second paper of the record in every suit or case.

With a view to showing the course of a case from first to last, it shall contain—

- (i) a record of the presence of parties and the names of the recognised agents or pleaders,

(ii) a record of each order passed and material event occurring in the case, or,

(iii) where such order or event is recorded elsewhere in the file, a note referring to such record and giving the subject matter and the date thereof.

185. *Contents of Order Sheet.*—The expression 'material event' occurring in the case shall, without prejudice to its generality, be held to include—

- (a) the filing of a plaint or written statement;
- (b) the examination of parties under Order X, rule 1 and 2,
- (c) the recording or amendment of issues,
- (d) the examination and names of witnesses,
- (e) the reading of the deposition of a witness examined by commission,
- (f) the filing of a Commissioner's report and any objection (oral or in writing) thereto,
- (g) the presence of witnesses when a case is adjourned,
- (h) the hearing of arguments,
- (i) the signing of a decree,
- (j) the delivery of judgment,
- (k) the filing of an application for review of judgment or amendment of decree, and
- (l) an order relating to a deposit, an order for repayment thereof, or an order for issue of a repayment order.

186. *Entries in order sheet.*—Entries in the order sheet shall be made by the Presiding Officer or by the Reader under the directions of the Presiding Officer and shall bear the signatures or initials of the Presiding Officer.

187. *Orders requiring reasons should not be written on order sheet.*—An order the reasons for which require to be recorded at length shall not be written on the order sheet, but a note of the order and of the date on which it was made shall be entered in it. There shall be separate entry in the order sheet for each distinct order or event. Each separate entry shall bear a serial number and where such entry is a reference to a record appearing elsewhere on the file, its serial number shall be noted on such record.

188. *Information to and signature of parties.*—Orders fixing dates or adjourned dates for hearing or directing anything to be done by the parties or their pleaders whether recorded in the order sheet or elsewhere shall so far as possible, be signed then and there by the parties or their pleaders.

189. *Arrangement of Revenue Records.*—The record of a suit shall be arranged in four parts. A, B, C and D.

Part A shall contain the following papers:—

- (a) Index of papers,
- (b) The order sheet,
- (c) The plaint or application, together with any schedule annexed thereto,

- (d) Any process served upon the defendant together with the return of service in cases decreed *ex parte*,
- (e) Written statements and oral statements of parties,
- (f) The memorandum of issues,
- (g) Any award of arbitrators on petition of compromise, if given effect to in the decree, also the report together with the map (if any), of a Commissioner in matters relating to immovable property if referred to or given effect to in the decree, but not any portion of the evidence taken by such Commissioner; also in the case of minors or lunatics any order of the court sanctioning a compromise as beneficial to the minor or lunatics,
- (h) Any order for administration or for partition or for accounts or inquiry with the direction given and the judgment upon which such order is founded,
 - (i) the judgment or final order,
 - (j) the preliminary decree (if any), and the final decree,
 - (k) the copy of any judgment and decree passed in appeal or revision, and
- (l) Any other paper, which the Presiding Officer may for reasons to be recorded in writing, order to be placed in Part A.

Part B shall contain the following papers:—

- (a) Index of papers,
- (b) All oral evidence,
- (c) All petitions and papers not specified as included in any other part, and
- (d) Vakalatnamas.

Part C shall contain the following papers:—

- (a) Index of papers,
- (b) List of documents admitted in evidence on behalf of the plaintiffs,
- (c) Documents admitted in evidence on behalf of the plaintiffs,
- (d) List of documents admitted in evidence on behalf of the defendants, and
- (e) Documents admitted in evidence on behalf of the defendants.

Part D shall contain the following papers:—

- (a) Index of papers.
- (b) All summons, processes, returns thereto, lists of witnesses, petitions relating to the attendance of witnesses or adjournments, proceedings calling for or sending papers or records and affidavits relating to matters mentioned in this sub-rule, petitions for grant of copies or for inspection of record and papers relating thereto.

190. *Arrangement of papers in each part.*—The papers in each part of a record shall be arranged in the order which they are

set forth above. When there are several papers of the same kind they shall be arranged in chronological order except that when a witness has been cross-examined or re-examined at a later stage of the proceedings, such cross-examination or re-examination shall be attached to his original deposition.

191. *Record of a Revenue Appeal.*—The record of an appeal case shall be arranged in four parts—A, B, C and D.

Part A shall contain the following papers:—

- (a) and (b) as in an original case,
- (c) The petition of appeal, together with copies of judgments and decrees of lower courts,
- (d) as in an original case,
- (e) Any cross-objection filed by the respondent,
- (f) Issues referred for trial by the appellate court with the findings thereon,
- (g) to (i) as in an original case,

Part B, C and D shall be arranged in the same manner as an original case.

192. *Record of an execution case.*—The record of an execution case shall be arranged in two parts A and B.

Part A shall contain the following papers:—

- (a) Index of papers,
- (b) The order sheet,
- (c) The application for execution together with any schedule annexed thereto and the copy of the decree,
- (d) Any petition raising any question as to the construction or effect of the decree and any counter petition,
- (e) The judgment of the court on such question,
- (f) The copy of any judgment passed in appeal or revision,
- (g) Return regarding delivery of possession,
- (h) Acknowledgment of receipt of possession,
- (i) Court copy of Certificate of Sale,
- (j) Receipt or acknowledgment of satisfaction of decree,
- (k) Power of attorney where it empowers the Agent or Vakil to receive moneys, and
- (l) Order of commitment to civil prison and order of release therefrom, together with the Jail Report of execution of the order.

Part B shall contain the following papers:—

- (a) Index of papers, and
- (b) All papers not contained in Part A.

193. *Record of an investigation*—The record of an investigation into a claim or objection preferred during execution proceedings shall be separately compiled and arranged as the record of an original case.

194. *Paper taken out to be replaced with a copy.*—When a document in any record is made an exhibit in another record, and is removed to that record, a certified copy of the document shall be

retained in the record from which the document is removed and a note of the removal made on the general index or order sheet. The certified copy shall be prepared by the Court Reader or clerk and shall be signed by the presiding officer of the court. After the decision of the appeal or after the expiry of the period of appeal if no appeal has been brought, the document shall be returned to the record of which it originally formed part, its place being taken by the certified copy.

Before a record or part of record is deposited in the record-room, the record keeper shall compare the entries in the index and record a certificate in the following form at the foot of the general index:—

I have this day of
 .. examined the papers in this part and find them to correspond with general index they bear (here state number) court-fee stamps of the aggregate value of Rs. All orders have been carried out. The file is complete up to the date of this certificate.

When a record or part of record has been taken from the record into court and any fresh papers have been added to it, the record-keeper shall, before the record a further certificate in the same form as above, at the foot of any fresh entries in the general index. Such further certificate shall refer to the added papers only.

CHAPTER V.

Execution.

195. *Prompt disposal of execution cases.*—Every Presiding Officer shall see that execution cases are not neglected or needlessly prolonged but are disposed of with the same care and regularity as original suits. Sufficient time should be allowed for the execution of all processes, warrants and orders issued which shall be drawn up in the execution department in strict rotation except in special cases under written orders of the Presiding Officer. Processes and orders ordered to be given 'Dasti' to a party or counsel shall be promptly prepared and given out the same day or next day in court through the Reader.

The Presiding Officer shall see that the orders issued by him are carried out and frequent or habitual carelessness, unpunctuality or procrastination in the execution department should be adequately punished.

An order staying execution shall be promptly complied. If execution has taken place, there shall be no restitution in pursuance of the order of stay.

196. *Copy of decree need not accompany execution application.*—The application for execution of a decree excepting the first application, need not be accompanied by a copy of the decree sought to be executed. But an application for an order for sale under Or-

der XXI, Rule 66 (3) of the Code, shall invariably be accompanied by a verified statement containing all information the decree holder can ascertain from the Collector's register and all other sources bearing upon the matters specified in sub-rule (2) of Order XXI rule 66.

197. *Duty of Reader and Office.*—It shall be the duty of the Reader or Official concerned to receive applications for execution, and before putting up an application for orders, the office shall, by reference to its registers, ascertain and report whether the requirements of Order XXI, rule 11 to 14 applicable to the case have been complied with and the application is within time and jurisdiction.

The office report shall state that the application is in order or, if it be not in order, shall state the exact defect and how the defect should be remedied.

The execution application should, as a rule, be put up before the Presiding Officer on the next working day.

198. *Serving Officers endorsement on warrants.*—The Officer executing a warrant of arrest or attachment shall endorse on the warrant the fact of satisfaction of the decree in whole or in part only when the amount is paid to such officer himself or paid to the decree holder in his presence or payment of the amount is admitted by the decree holder or his recognised agent in writing. If the decree holder or his counsel does not appear on the next date fixed for the case, the court shall record the decree satisfied to the extent of the payment made.

199. *Mode of certifying.*—A certificate in the form given below may be presented, under Order XXI, rule 2 (1) of the Code to the court without any formal written application. Such certificate need not be stamped. Should the certificate accompany a formal written application, such application shall be stamped under Court Fees Act, 1870 as adapted to Rajasthan, but the stamp shall not be charged as costs against the judgment debtor. The form of certificate shall be as follows:—

IN THE COURT OF THE

OF

..... Plaintiff.
Versus

..... Defendant.

Suit No.

of 19 ..

Certificate by decree holder under Order XXI, rule 2 (1) of the Code of Civil Procedure, 1908, I..... decree holder, certify to the court payment or adjustment in the following terms of the amount of Rs. in the above suit by on the Date.

Decree holder.

200. *Posting of proclamations and orders.*—Copies of orders of attachment and proclamation of sale shall be so affixed with paste or gum that they may be maintained in a condition to attract the attention of those for whose information they are intended.

201. *Sale by court in execution of decree.*—Where property to be sold in execution of a decree is a garden or land occupied by a house or appurtenant thereto or movable property of any description or is any interest in such garden, land or movable property, the court shall appoint an official to conduct the sale, unless special reasons render it necessary that other agency should be employed; in which case such reasons shall be set forth in the handwriting of the Presiding Officer in the order of appointment.

202. *Contents of sale certificate.*—A certificate issued under Order XXI, Rule 94 shall invariably contain the following particulars:—

- (a) The 'addition' (as defined in section 2 of Registration Act, 1908) of the person who is declared to be the purchaser;
- (b) particulars sufficient to identify the property as required in section 21 and 22 of the said Act.

A sale certificate issued under Order XXI, rule 94 in respect of any sale shall be drawn up upon a stamp paper of the value required by Article 18 of the 1st Schedule of the Stamp Act No. II of 1899 as adapted to Rajasthan under the Stamp Law (Adaptation) Act, 1952 (No. VII of 1952).

On each copy of the certificate the amount of stamp duty paid on the original certificate shall be noted.

N.B.—Copies prepared in compliance with Section 89 (2) of Registration Act, 1908, are by article 24 (a) of Schedule I of Stamp Act No. IX of 1899 as adapted by the Rajasthan Stamp Law (Adaptation) Act, 1952 exempt from Stamp duty.

All copies of certificates of sale shall be prepared upon durable paper, sufficient margin being left for binding.

CHAPTER VI.

Record Room and the Preservation and Destruction of Records. (The Record Room).

203. *Rack for each court.*—A separate part of a rack or one or more separate racks in the record room shall be, as far as possible, assigned to each court, the records of which are consigned in the record room.

204. *Arrangement of record.*—Records shall be kept in accordance with the dates of disposal of the cases to which they relate.

Records of different kinds of cases e.g. original suits, appeals, shall be kept separately.

Records of execution cases shall be kept in the same order in which the records of the corresponding original suits are kept.

205. *Transmission of record to the Record Room.*—At the beginning of every month, the complete records of all suits, appeals and miscellaneous cases not relating to suits or other cases decided during the month shall be made up into a bundle, and on or before the twenty fifth day of the month they shall be transmitted to the

record room, on such dates and in such manner as the Collector may from time to time by his order direct. Records of miscellaneous cases relating to other suits shall not be sent in the monthly bundle.

N.B.—Records of cases in which proceedings are stayed or in which proceedings are held up for any reason shall not be consigned to the record room.

Every subordinate court shall on the 28th of every month submit a certificate to the Collector to the effect that all Records which should have been transmitted to the record room under the preceding para have been so transferred, or explain the cause of delay if any records have not been transmitted.

If a completed record is required for use in the court in which it was completed or if it has been requisitioned by another court, or if, for any other reason a completed record is not sent to the record room at the time specified in this rule, there shall be sent to the record keeper, in the monthly bundle, in place of every such record, a copy of the requisition under which it has been detained, or transmitted elsewhere; the record keeper shall deal with this as an original requisition.

206. *List of contents.*—Each bundle transmitted to the record room shall be accompanied by a list of the records it contains prepared by the official in charge of the records and signed by the Reader of the court. A list shall be placed on the top of the records before the bundle is closed.

207. *Packing and transmission.*—Each bundle shall be sewn up and sealed in the presence of the Reader of the Court. In outlying courts at places where there are no record rooms, the bundles of each class shall be sew up into one large bundle and placed in a strong tin lined box provided with duplicate keys, one of which shall remain in the court transmitting the records and the other in the court to which the record room is attached.

208. *Procedure to be followed by Record-keeper.*—With the bundle shall be sent an invoice the upper portion of which shall be filled up in the court transmitting the record and shall be signed by the Reader of the court. On receipt of the bundle the record keeper, after comparing the entries in the invoice with the lists accompanying the bundles and with the number of records of each class actually received, shall if the invoice be found to be correct, sign the acknowledgement at the foot of it and return it to the court from which it was received. If the invoice be found to be incorrect, the record keeper shall acknowledge the receipt of the records actually received and shall report the discrepancy for the orders of the Collector.

209. *Transmission of Registers and Books.*—The rules for the transmission of record shall apply *mutatis mutandis* to the transmission of registers and books.

210. *Bundles pending examination.*—The bundles of records as received by the record keeper shall, pending his examination under the next rule be kept in racks set apart for the purpose.

211. *Record keepers examination of records received.*—As soon as may be after the bundles have been received, the record-keeper himself or through his assistant record keeper, shall compare the papers in each record with the general index and satisfy himself:—

1. that the papers in the record correspond with those entered therein,
2. that each file contains the papers properly appertaining to it,
3. that documents in the record bear no blots, erasures or interlineations, but those noted in the general index,
4. that the paper bear the stamp entered in Col. 6 of the general index,
5. that on each paper the number and aggregate value of the stamps on it have been recorded,
6. that the rules made by the Government for regulating the number of stamps to be used for denoting fees have been complied with,
7. that there is nothing suspicious in the appearance of the stamps,
8. that all orders have been duly signed, and
9. that all necessary receipts are in the record.

212. *Record Keeper's certificate of correctness or report to the Collector.*—If the record be found to be in order, the Record Keeper, or the Assistant Record Keeper as the case may be, shall record a certificate to that effect in the general index. If the record be found to be defective in any respect, he shall in writing report its condition for the orders of the Collector, and the report with all other papers consequent on it shall, after being entered in the general index, be filed with the record.

Where the court of which the record has been found defective, is at headquarters, it will be preferable as a rule to send for the clerk at fault and have the necessary corrections carried out in the record room. The record while under correction and the clerk correcting it should always be under the immediate eye of the record keeper or of an assistant record keeper.

213. *Examination when to be completed.*—The examination of the records of each bundle received in the record room shall be completed within a month from the date of receipt.

214. *Lists to be stitched into books.*—As soon as the examination of the records in each bundle is completed, the lists which accompanied the bundle shall be stitched into a file book, and ordinarily at the end of the calendar year, the lists of each class of records shall be separately bound up for each court so as to constitute registers of decided cases. No other register of decided cases shall be kept up in the record room.

If in any calendar year the number of sheets in any list is too small, the list may be bound up at the end of 2 to 5 calendar years as convenient.

215. *Arrangement of record and bundles.*—The records of miscellaneous cases relating to other cases will be put up with the connected cases.

The records of miscellaneous cases not relating to other cases shall be kept in separate bundles.

216. *Treatment of miscellaneous cases relating to pending cases.*—When the other case to which a miscellaneous case disposed of in any month relates is pending the record of the miscellaneous case will be put up with that of the other case by the proper officer of the court.

217. *Arrangement of records and labelling of bundles.*—In the bundles the records shall be kept according to their serial number in the list or register of disposed of cases, the bundles shall be arranged so as to secure facility of access to the more recent records.

On such bundle shall be painted, by means of a stencill plate or otherwise the year and month and the class of records; and to each bundle shall be attached a label showing their serial numbers the earliest and latest records, for the time being, belonging to that bundle.

The Collector may assign different coloured bastas to the different courts from which records are received.

218. *Period of retention of Books and registers in Courts, before consignment to record room.*—The Following registers and books shall be retained for the period specified against each:—

Description of Register or book.	Period of retention in the court.
1. Despatch Register.	One year after completion.
2. Register of miscellaneous Judicial cases not relating to suits or other cases.	One year after completion.
3. Register of receipts of deposits.	Three years after the items recorded in the register have been disposed of.
4. Register of petty receipts and repayments.	-do-
5. Register of applications for execution of decrees and orders.	Twelve years after completion.
6. Register of Revenue appeals or application for review.	Fifteen years after completion.

219. *Period of retention of Papers.*—The following papers shall be destroyed on the expiration of the periods specified against them computed from 1st January of the year succeeding that to which they relate:—

<i>No.</i>	<i>Description of paper.</i>	<i>Period of retention.</i>
1.	Counterfoils of receipts granted for payments into Board.	One year.
2.	Periodical statements, returns, and office copies of the same, except annual returns and statements.	-do-
3.	Proceedings of other courts and offices forwarding summons, notices, proclamations and the like.	-do-
4.	Proceedings of lower courts calling for records asking for information, and the like.	-do-
5.	Reports from ministerial officers not relating to particular suits or cases.	-do-
6.	Applications for leave or from candidates for employment or any other proceedings, reports or applications not relating to particular suits or cases.	One year.
7.	File Books of applications for search.	-do-
8.	Application for renewal of certificates of pleaders and cancelled certificates.	Two years.
9.	Counterfoils of certificates for refund of payments of court fees.	Three years.
10.	Treasury Challans for sealable forms.	Six account years.
11.	Counterfoils of repayment books.	Twelve years.
220. <i>Period of retention of books.</i> —The following books shall be retained for the periods specified against them:—		

<i>No.</i>	<i>Description of books.</i>	<i>Period of retention of books.</i>
1.	Register showing the classification and value of suits instituted.	One year.
2.	Memorandum book of dates.	-do-
3.	Register of proceedings taken in execution of order received from the Board.	-do-
4.	Despatch Register.	-do-

5. Process Register.	-do-
6. Process Servers diary.	-do-
7. Register of sanctioned estimates for maps and plans.	-do-
8. Register of fines, stamps, duties and penalties levied.	One year.
9. Peon book or Station Dak Book.	-do-
10. Register of applications for copies	-do-
11. Inspection register.	-do-
12. List of unexpended petty deposits.	-do-
13. Travelling Allowance Bill book.	Three years.
14. Day Book.	-do-
15. Register of court-fee and process fees.	-do-
16. Stock book of printed forms.	-do-
17. Register of casual leave.	-do-
18. Out-station dak book or service postage stamps account book.	-do-
19. Office copies of lists of lapsed deposits and clearance register.	Three year after the close of the account year to which the relate.
20. Stationery register.	Three years (after completion).
21. Register of contingent charges.	Five years.
22. Acquittance roll books.	Five years (after completion).
23. Register of original suits disposed of.	Six years.
24. Register of disposal of applications for executions of decrees and orders.	-do-
25. Register of requisitions for records.	-do-
26. Register of appeals from decrees disposed of.	-do-
27. Cash Book.	Twelve years.
28. Register of miscellaneous cases Judicial.	-do-
29. Register of circulars received.	Twenty years.
30. Register of returned documents.	Thirty years.
31. Register of applications for execution of decrees and orders.	-do-
32. Register of decided cases.	-do-
33. Register of receipts of deposits.	-do-

34. Register of repayment of deposits.	-do-
35. Register of letters received.	Forty years.
36. Register of letter issued.	-do-
37. Register of miscellaneous Judicial cases not relating to other cases.	Fifty years.
38. Register of Miscellaneous appeals.	-do-
39. Register of pleaders enrolled.	-do-
40. Register of appeals from decrees.	Sixty years.
41. File Index.	Permanently.
42. Catalogue.	-do-
43. Stock register of furniture.	-do-
44. List of register consigned to the record room.	-do-
45. File books of standing orders and circulars.	Permanently.

Provided that no court subordinate to the Collector shall cause any books to be destroyed under this rule, without having first obtained his permission in writing to do so.

CHAPTER VII

Production, Return and Transmission of Records.

221. *Prohibition against issue of Records.*—Ordinarily no record shall be issued except on requisition of a Civil, Criminal or Revenue Court of the Government, of the Board of Revenue, of the Commissioner of the Division, or of the Commissioner Taxation and of the Inspector General of Registration and Stamps Collector and then only on an order of the Presiding Officer. In all other cases, before a record is issued, the orders of the Board of Revenue shall be taken on the subject.

222. *Form of requisition.*—Every requisition for a record or portion of a record shall be made in writing. It should be stated specifically in the requisition why certified copies obtained in the usual manner by the parties will not serve the purpose and that proper court fee has been realised.

223. *Requisition by Court Suo Motu.*—When a requisition for a record is made by a Court Suo Motu, the fact should be stated in the requisition and no charges levied from any party.

224. *Provision governing issue of Record*—When at the instance of a party, a court requisitions a portion of record, it shall require the party to file a certified copy of the portion required, and such copy shall be attached to the requisition. The copy or copies will be placed on the record and then the original document or documents shall be sent. When the portion of the record is received back in the court or record room the applicant shall be entitled to have the copy returned to him on application for the same.

Where the record is deposited in the same building, it may often be more convenient to send the whole record and not merely the portion requisitioned. In such cases, the whole record and not merely the portion asked for may be sent in answer to the requisition.

225. *Record keeper's procedure.*—No requisition for a record or portion of a record shall be complied with except in accordance with an order of the Board of Revenue, the Commissioner, the Collector or of the Presiding Officer of the Court in which the record is. The record keeper or with the sanction of the Collector or the Presiding Officer, as the case may be, the clerk in charge of the record on receiving such order shall comply with the same, and shall send the record or portion under cover for transmission. The form of requisition received shall be placed in the bundle from which the record was taken.

226. *Register of requisitions.*—The record keeper and the Reader of each court shall keep a register of requisitions for records and make necessary entries therein.

227. *Return of records.*—When the record or a portion of a record is no longer required, it shall be promptly returned to the record room or the court from which it was received, the case may be, the necessary entries on the form of transmission shall be made, and the original form shall be filed in the suit for the purposes of which the record or portion was sent for, and a copy of this form shall be returned with the record or portion. In the remarks column of such copy the Reader of the court returning the record or portion shall certify whether the record or portion does or does not contain all the papers entered in the general index of the part or portion.

228. *Procedure on return of record.*—On receipt of the record or portion the record keeper or Reader shall examine it and have it weighed. If it appears in tact and not open to suspicion, he shall then make it over to the clerk in charge of the records who shall forthwith check the papers it contains, and see that they agree with the general index and order sheet. If the record is found correct it shall be so stated by the clerk in the form of acknowledgment. If the record is found to be in any way defective, a report shall be made without delay to the Presiding Officer.

If any parcel received by a Reader appears to have been tampered with, he shall have it opened in the presence of an official of the post office or railway in accordance with the rules of those departments. He shall himself check the papers and if any appear to be missing, he shall at once bring the matter to the notice of the Presiding Officer.

The Record Keeper or Reader shall then make necessary entries in the register of requisition and shall file the requisitions with the record or portion and replace the record or portion in its bundle. The copy of the form of transmission, returned with the record or portion shall then be destroyed.

229. *Check on delay in return of records.*—Once every three months the record keeper and the Reader of the Courts shall lay the register of requisitions before the Collector or the Presiding Officer for orders as to records or portions which have been issued more than three months and have not been returned.

230. *Records of the cases appealed to the Revenue Board.*—Records of cases appealed to the Board of Revenue shall be submitted forthwith on receipt of the precept calling for them; when the subordinate court is unable to comply with the precept within the time fixed for the purpose, it shall submit a report stating:

1. the number of the Board of Revenue precept,
2. the number of the case in which the precept was issued,
3. the names of the parties to the case,
4. the reason for non-compliance and
5. the date by which the compliance is likely to be made.

If the compliance cannot be made by such a date a further report shall then be made.

231. *Loss of Records.*—Whenever it is discovered that a record or portion of a record or a document on the file of a record is missing, the loss or theft shall be immediately reported in writing to the Collector in whose district the loss or theft has occurred, and he in turn shall report the fact to the Board of Revenue and state the steps taken to try and recover the paper or papers missing.

Transmission.

232. *How to send records.*—The following instructions shall be observed in connection with the transmission of records to the Board of Revenue and with the transmission upon requisition of records from one court to another and from a record room to a court and *vice versa*;

(1) Except in the case provided for in para-graph (5) of this rule, records shall be sent either by parcel post registered or by passenger train. Those sent by parcel post shall be between July and November, securely packed in wax cloth and sealed along the seams at intervals of not more than 4 inches. Those sent by rail shall be carefully placed either in gunny bag similarly sealed or in well secured wooden box.

(2) The postage and the registration fee in the case of parcels sent by post shall be fully prepaid by means of postage stamps. Similarly in the case of parcels sent by rail, the freight shall be prepaid.

(3) No parcel sent by post shall include papers referring to more than one case. If papers referring to more than one case, are enclosed in a parcel or box sent by rail, a list shall always be placed in the box containing the number of each record or portion thereof and its weight as a separate parcel.

(4) All parcels sent by post or by rail be weighed before despatch in the presence of the Reader or Record Keeper as the case may be and the weight noted outside.

(5) When the court requiring a record is in the same station, as the record room or the transmitting court, the record may be sent by Government messenger but it shall be secured by seals in such a manner as to prevent the record being opened or papers abstracted in transit without the seals being broken or the fastening severed.

(6) An acknowledgment shall be invariably required from the court to which a parcel containing a record has been sent and in the event of none being received within a reasonable time the matter shall be brought to the notice of the presiding officer, and an inquiry made to ascertain the cause.

233. *Application of preceding rules to production return and transmission of registers, books etc.*—The above rules will also apply to the production return and transmission of registers, books etc.

CHAPTER VIII.

Inspection and Search of Records.

234. *Separate room for inspection.*—The Presiding Officer of each Court, or where there are centralised arrangements for the inspection of records of more than one court located at the same station, the senior most Revenue Officer shall where possible, allot a room for the inspection of records. Where there is no official appointed exclusively as an Inspection Clerk, he shall appoint the Copyist or one of the Clerks to perform the duties of the Inspection Clerk.

235. *Prohibition against giving surreptitious information.*—Ministerial officers and the inferior staff of the Court should be made to understand that no information or copy shall, in any circumstances, be given otherwise than as laid down in the rules and that surreptitious or gratuitous supply of information or copy is strictly forbidden.

236. *Application for information.*—Any person desiring to ascertain the serial number and date of institution of any suit or other registered particulars respecting a suit, or any proceedings therein, or of any revenue proceedings, shall present or send by post to the court a written application stamped with a court-fee label of four annas and giving the best particulars he can as to the year of institution and the names of parties. The Reader shall cause such application to be entered in a register and mark such application with a serial number and direct the officer in-charge of the relevant register to make a search. The information, if obtainable, shall be given to the applicant in writing, signed by the official in-charge of the register, within three days from the date of the receipt of the application. The information shall be sent by post, if necessary postal charges have been paid. In case such information cannot be given within three days, the Reader shall forthwith, on the expiration of the said period, report in writing to the, Presiding Officer for his orders, the cause of the non-compliance

with the application. A printed copy of this Rule in Hindi shall be kept posted on the notice-board in a conspicuous place in every court.

After disposal the application for search shall be posted in a file-book in serial order. Each such file-book shall be consigned to the record room at the end of each calendar year.

237. *Obtaining information by means of written questions.*—It will also be open to a party to obtain information regarding any case by means of written questions. To an application for such information must be affixed for every question asked pertaining to the same case a court-fee label of 2 annas, if the case is pending and of 4 annas if the case is decided.

Note.—In no circumstances shall be right conferred by this rule be so exercised as to be in substitution of the method of obtaining more detailed information by an inspection of the record or by copies.

238. *Power of Presiding Officer to examine records.*—The Presiding Officer of a Court requiring to examine at this private residence a record of a case in his court, may take charge of such record. The official in whose custody such record may be, shall enter in a register to be kept in the Office for that purpose, a note describing the record so taken charge of by the officer, the date when the officer took charge of the record, and the date when the same was returned by the said official.

239. *Papers in office not open to inspection.*—The papers other than those of a revenue record shall not be opened to inspection, except under an order in writing of the Presiding Officer made on an office report.

240. *Inspection of papers in office.*—No record or paper in the office or in the custody of an officer of the Court shall be inspected by any person other than the Presiding Officer of the court, except under an order in writing signed by the officer; provided firstly that the Presiding Officer may, in his discretion, without making a written order in that behalf, permit a party to a suit or his pleader to inspect in the court room the record of a pending case on the day of hearing, and provided secondly that memorandum books of dates of hearing or peshi registers shall be made available for inspection free of charge, without any written application or order.

241. *Applications for inspection.*—Except in the cases mentioned in the provisos to rule 240 no order for the inspection of a record or of any paper in a record or for the inspection of a book or register shall be made, except upon a written and duly stamped application; provided that no stamp shall be required in case of application for inspection made on behalf of the Government.

242. *Applications for inspection by party to a suit.*—Any party to a suit, appeal or other proceeding in the court, and any such party's advocate, attorney or vakil, who has filed a document in wri-

ting as required by Order III Rule 4 (1) of the Code may apply for an order to inspect the record, or any papers in such suit, appeal or other proceeding.

243. *Application for inspection by non-party.*—Any person, other than a person to whom rule 242 applies, may apply for an order for the inspection of a record or paper in a suit, appeal or other proceeding. No such person shall be entitled as of right to obtain an order for inspection, nor shall he, in any case, be allowed to inspect exhibits put in evidence except with the consent in writing of the person by whom they were produced or his successor in interest. Such consent shall invariably be filed with the application for inspection.

244. *Form and fees for application.*—Every application for inspection of record shall be in writing and shall set forth:—

- (a) the name and description of the applicant, and his position, (if any in the suit or proceeding);
- (b) the following particulars concerning the record of which inspection is desired—
 - (i) Number and year of case,
 - (ii) Name of court,
 - (iii) Title of case, and
 - (iv) Date of disposal when the case has been disposed of, and date of hearing when the case is pending.

(2) The fees for the inspection of records shall be paid in court-fee labels in accordance with the following scale *viz.*—

(i) Ordinary	....	....	Eight annas.
(ii) Urgent	....	....	One Rupee.

(3) Inspection on an ordinary application shall be allowed on the day following the date on which the application is made or on a subsequent day mentioned in the order.

(4) Inspection of an urgent application, shall, as a rule, be allowed on the same day.

245. *Application for inspection by a party.*—Where a party to a case applies that any record, book or register, or set of books or register, be sent for and inspected during the hearing of the case, the applicant shall, on the application being granted, pay into court a court-fee stamp of the value of one rupee for each such record, book or register or set of books or register. If for any reason, such record, book or register is not sent for inspection, the applicant shall be entitled to a refund of the inspection fee paid under this clause, less one anna in a rupee, provided he applies for such refund within three months from the date of the order granting the application for inspection.

246. *Court fee on inspection on application for registers.*—The application for inspection referred to in rules 242 to 245 shall have affixed to it court-fee labels of the aggregate value of eight annas for each and every register or record sought to be inspected.

247. *Inspection of records by legal practitioner's clerk forbidden*.—Inspection of records by legal practitioner's clerk is not permitted. A registered (or recognised) clerk may be permitted to assist a legal practitioner in his inspection. Such clerk must, however, withdraw from the inspection room as soon as the legal practitioner ceases inspecting.

248. *Day and hours of inspection*.—Every order for inspection shall specify the day on which inspection may be made.

Inspection on any one application shall be allowed for one day only between 12 noon to 3 P.M. or during morning hours from 8.0 A.M. to 10.30 A.M.

249. *Order for inspection*.—Every order for the inspection of a record or paper shall be sent to the Inspection Clerk and will entitle the person or persons named in such order, but not any other person or persons, to inspect the record or paper specified in the order between the hours fixed for such purpose by the Presiding Officer on the date named in the order, but on no other date. If no inspection is made on the date fixed, the application and the stamped paper shall be filed with the record and shall not entitle the applicant to inspect on any other date.

250. *Duty of Record Keeper*.—The record-keeper or the Officer in-charge of the record shall, on the day mentioned in the order required by the above rule, deliver to the Inspection clerk the record or paper mentioned in the order, and shall receive an acknowledgment from the Inspection Clerk.

251. *Duty of Inspection Clerk*.—The Inspection Clerk shall, on the day of the inspection and immediately after the inspection has begun, make on the order a memorandum showing the date on which the order has been complied with, and shall, on the same day at any hour to be fixed by the Presiding Officer, return to the official from whom he received it every record or paper and every order. Such official shall forthwith file every order which has been returned to him and shall not again issue for inspection on an order so filed any record or paper.

The inspection shall be made in the presence of the Inspection Clerk, who before returning the file shall examine the record and satisfy himself that all papers in the record are as they were before inspection.

252. *Inspection clerk, to maintain inspection register*.—The Inspection Clerk shall keep an inspection register in the prescribed form.

253. *Use of Pen and Ink during inspection prohibited*.—No person inspecting a record shall be allowed to bring into the room in which the inspection is made any pen or ink, nor to use any pen or ink, nor shall he be allowed to make any mark, upon, or in any respect to mutilate, any record or paper which is being inspected.

N.B. The use of a fountain pen is also prohibited.

He may, if he so desires make full copies in pencil of any papers that he is inspecting, (within the time allowed).

CHAPTER IX.

Copies and Copying Department.

A—Applications.

254. *Details necessary in application for copy.*—Every application for a copy shall be in the prescribed form and shall set forth:—

(1) the name and description of the applicant, and his position (if any) in the suit or proceeding, from the records of which the copy is asked for;

(2) the description of the document of which a copy is required;

(3) the following particulars concerning the record from which the copy is sought:—

(i) Number and year of case;

(ii) Name of court;

(iii) Title of case; and

(iv) Date of disposal when the case has been disposed of and the date of hearing, when the case is pending;

(4) Whether or not the application is 'Urgent'.

255. *Sending of a copy by post.*—If the applicant desires the copy to be sent by post, he shall also send—

(1) a duly stamped and addressed post card to enable him to be informed of the extra charges to be paid, if any, on his application for the copy, and

(2) a duly stamped and addressed envelope for sending the copies.

Note.—If the extra charges are not paid within 15 days from the date of issue of notice, the application for copy shall be rejected and the addressed envelope shall be used for informing the applicant of the order of rejection of his application.

256. *Pleader's clerk may apply for copy.*—An application for copy duly signed by a pleader, may be presented by his registered clerk and the copy may be delivered to such clerk.

B—Persons entitled to copies.

Parties to suit.—Except as hereinafter provided, any party to a suit, appeal, *motion* or proceeding may at any time obtain upon an application, an order for a copy or copies of the record in such suit, appeal, *motion* or proceeding or of any decree, order, pleading, paper, exhibit or document in such record; provided that a party who has been ordered to file a written statement shall not be entitled to inspect or take a copy of a written statement filed by another party until he has first filed his own.

258. *Stranger to suit.*—A stranger to a suit, appeal, *motion*, or other proceeding may, after final decree or final order, obtain upon an application an order for a copy or copies of any decree, order

pleading, paper or document in the record, other than an exhibit and may, for sufficient reason shown to the satisfaction of the Presiding Officer, obtain upon application at any time before final decree or final order, an order from the Presiding Officer for a copy or copies of any decree, order, pleading, paper or other document in record other than an exhibit.

No order for a copy of an exhibit shall be made on the application of a stranger to the suit, appeal, *motion* or proceeding in which such exhibit was produced unless along with the application is filed a properly authenticated consent, in writing, of the person who produced such exhibit to the granting of an order for the copy.

259. *Government and certain courts.*—Notwithstanding anything contained in these rules, a Presiding Officer may, upon application by or on behalf of the Head of any department of the Government of India or the Head of any Department of any State in India or any High Court in India, any authority in India exercising jurisdiction similar to a High Court, any court subordinate to the Rajasthan High Court or Rajasthan Revenue Board any Principal Court in any foreign country in his discretion order a copy or copies to be made and delivered of any record; and such copy or copies may be made free of charges unless they be required for the purpose of a litigant other than the Government.

260. *Government Law Officer.*—(1) In case in which Government is a party copies of judgment, orders and decrees, and of any other paper required for purpose of conducting the case shall be supplied free of charges to the Government Law Officer.

(2) A copy of the whole or any part of a record when required for the purpose of conducting any trial or investigation or appeal on the part of Government in any Revenue Courts, shall ordinarily, on application, be supplied free of charge to a Government Law Officer provided that, should the Presiding Officer be of opinion that the demand made is in excess of what is necessary for the purpose stated in the application for such copy or copies, he may refuse to grant free of charges any or all of the copies applied for, and in such case, he shall at once report his refusal, with the reasons therefor to the Collector.

(3) A copy of an award or agreement made under the Land Acquisition Act shall, on application, be supplied free of charge to a person claiming under such award or agreement.

261. *Procedure on receipt of an application for a copy of record.*—Every Officer receiving an application for a copy of record shall:—

- (a) endorse or cause to be endorsed thereon the date of presentation,
- (b) initial the endorsement,
- (c) cause the court-fee stamp thereon to be cancelled according to law,

(d) cause the application to be registered, and endorse thereon the serial number of its entry in the register, and

(e) shall enter thereon the date on which copy shall be issued.

On the stamped sheets accompanying the application shall be entered only the date of the application and the register number.

The Head Copyist or Reader shall promptly make proper entries in the register of applications for copies in the prescribed form. The Head Copyist or Reader shall send the applications to the official in-charge of the record required who will enter each in the appropriate column of the register, his signatures and the date and hour on which he received the application relating to him. The official in charge of the record shall without delay send such application, order and stamped paper and the record to the Head Copyist and shall take from the Head Copyist or Reader in register in the prescribed form to be kept for the purpose, a receipt of the date and hour when such record was delivered to him: and the Head Copyist or Reader shall enter in the appropriate column of the register the date and hour on which he received the aforesaid record.

262. *Duties of Head Copyist.*—As soon as the copy is made, the Head Copyist shall forthwith return the record together with the application and order, to the official from whom he received them and such official shall forthwith place such application and order in Part 'D' of the record.

The Head Copyist shall, at the end of each working day, deposit in a locked box or almirah to be kept for that purpose in the record room, Nazir's room or other secure room allotted by the Presiding Officer all documents under copying.

(1) If an application is rejected, the Head Copyist shall at once return to the applicant the stamped paper which accompanied the application and take his receipt for the same in the register. In case the applicant is a pleader, the unused stamp paper may be returned to his registered clerk.

(2) If the applicant be not present, the Head Copyist shall inform him by post of the fact and direct him to appear without delay and take back the stamped sheets forwarded by him with his application; provided that he has previously sent a duly stamped addressed envelope. When the applicant requests that the unused folios may be returned to his pleader, they may be returned to his pleader or his registered clerk. If the pleader practises at the headquarters station, the unused folios shall be returned to him or his registered clerk and his signature taken. If he practises at any outlying court, the unused folios may be returned to the outlying court at applicants' expense. The correspondence with the outlying court shall be filed with the record of the suit to which the original application for copy belongs.

(3) The Head Copyist before returning any stamped sheets shall endorse each sheet with the words 'returned unused to' (being the applicant) and initial them.

(4) Stamped sheets so returned may be used by the applicant in a subsequent application for copies.

(5) If the applicant does not appear within thirty days of the date on which the letter was sent to him under paragraph (2) above or in the case of an applicant who has not sent a duly stamped addressed envelope, within 30 days of the date on which the application was rejected the Head Copyist shall render useless the stamped sheets by folding them down the middle vertically tearing off the right half of each sheet, destroying it and causing the left half on which is entered the date and number to be filed in the record along with the application. An entry of the fact of destruction shall be made in the register of copies against the application.

C. Copying fees.

263. *Copies to be made on stamped paper provided by applicant.*—Except for the use of the court, or in a case falling within rules 259, 260 and 266 no copy of any record of any part thereof or of any decree order, proceeding, paper or other document in any record, shall be made, except on stamped paper provided by the person who has obtained an order for the copy.

If necessary stamped paper is not available, Judicial water-marked paper provided instead.

264. *Scale of copying charges*—The following shall ordinarily be marked paper with adhesive stamp of the requisite value may be scale of charges for copies.

(1) For copies containing 400 words or less:—

Judgment	Deposition	Decree	Any other paper except book, register map or plan etc. or any extract thereof documents mentioned in rule.
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Ordinary copy	1	0	0	1	0	0	1	0	0	1	0	0
Urgent copy	2	0	0	2	0	0	2	0	0	2	0	0

(2) For a copy, ordinary or urgent containing more than 400 words—

For 400 words the charge shall be the same as detailed above, and for every subsequent 100 words or less, an extra charge of four annas and eight annas respectively shall be made.

(3) In the case of books, registers, maps or plans or extracts thereof, no general rule can be laid down. In each case a charge shall be fixed by the Presiding Officer with reference quantity, difficulty or intricacy of the work to be done.

In cases which an applicant desires to have more than one copy of a paper and typed copies can be given, each copy after the first shall be supplied at half the rates prescribed above.

265. *Use of stamped sheet for copy.*—(1) Except in the case of an application for a copy of a book, register, map or plan or any extract thereof, every application for a copy for which a charge is to be made, shall be accompanied by sheet or sheets of stamped copying paper equal in value to the scheduled charges for the copy of the document in the preceding rule. If upon any sheet or sheets so supplied, no part of the copy be written, the Head Copyist shall make and sign upon such sheet or upon each of such sheets as the case may be, an endorsement to the following effect filling up the blanks:—

“This sheet was used in application No.....
dated”

If the whole of the copy can not be made upon the sheet or sheets supplied, the remainder shall be written upon foolscap paper of durable texture, supplied from the stationery allowance. Each sheet of the copy including every sheet supplied shall be stamped with the stamp of the court and serially numbered by the Head Copyist.

(2) If the application is not accompanied by a sheet or sheets of stamped copying paper of the minimum value of Re. 1/-, it shall not be admitted.

(3) If the application is accompanied by a sheet or sheets of not less than the minimum value as stated in the preceding sub-rule, but the copying fees leviable are found to be in excess of the value of the sheet or sheets thus filed, the applicant shall be called upon to make up the deficiency within a time to be fixed for the purpose. If the deficiency is not so made up, the application shall be rejected.

(4) The notice to an applicant indicated in sub-rule (3) above may be given by means of a notice board of the court.

266. *Copies of maps plans etc.*—When an application is made for a copy of a book register, map or plan or any extract thereof, or for a copy of a paper not in the language of the court, a photograph or the like whether forming part of a decree or not, which the regular copying staff cannot prepare or for a copy of a decree which, owing to its length or complexity, cannot reasonably, in the opinion of the Presiding Officer, be prepared by the regular copying staff for the fixed charge in the above rules, an estimate shall be prepared under the orders of the Presiding Officer and when prepared shall be laid before him for sanction.

The particulars of the estimate as sanctioned shall be entered in the prescribed form, the signature of the Presiding Officer shall be taken on it and the amount of the estimate as sanctioned shall be communicated to the applicant. Upon payment of such amount being made by the applicant (in copy folios to the value of the sanctioned estimate) the Presiding Officer of the court shall arrange, if possible, for a copy to be made thereof and compared with the original by such special copyist as are forthcoming within his juris-

diction and may, in his opinion be relied upon for the purpose. If no such persons are forthcoming, he may send such document together with a copy of this rule to a court in another district or State where such special copyists are available with a request that such court have the copy made. Any necessary charges incurred over and above the estimated amount shall be borne by the applicant. If payment is not made within a week of the communication of the estimate to the applicant, the application shall be dismissed.

The Head Copyist shall enter in the register the sanctioned estimates of copying charges for copies of books, register maps or plans or extracts thereof.

The special Copyist appointed for such purposes shall be paid his fees from the amount deposited (in cash) by the applicant, from which deposit the cost of material if any, required for the presentation of the copy of map, plan etc. shall also be defrayed.

267. *Signing examination and certification of copies.*—When a copy has been made, it shall be signed by the person who made it; and it shall be examined, corrected, if necessary, and certified to be true copy by the Head Copyist. If the copy was made by the Head Copyist or the Head Copyist is unable to certify, it shall be examined, corrected, if necessary and certified to be a true copy by some other person, selected by the Presiding Officer for that purpose.

No copy of a document shall be so certified to be a true copy unless it shows correctly number of words therein and also the value of the stamps if any, in the original document.

No copy shall be delivered to an applicant until it has been examined and certified, in the manner stated above, and countersigned by the officer-in-charge.

268. *Heading on copies.*—Every copy shall commence with a heading in the following form:—

Certified copy of (description of paper copied in title of case) suit/appeal No.(Number)or (Year) in the court of (name of the court) at (place), decided/Pending on (date).

269. *Endorsement on a copy.*—Every copy shall bear an endorsement showing the following particulars:—

- (a) the number of the application on the register and the year,
- (b) the date of the presentation of application,
- (c) number of words copied,
- (d) amount of copying fees,
- (e) name of copyist,
- (f) date fixed for issue of copy,
- (g) date on which copy was ready,
- (h) date of issue of notice to applicant (if issued), and
- (i) date of delivery/posting.

270. *A register of applications for copies disposed of.*—A register of applications for copies disposed of shall be maintained in the

prescribed form. All copies issued and all applications disposed of without issue of copies shall be entered in this register.

271. *Order of compliance with applications.*—Orders made on urgent applications shall have priority over all orders made on ordinary applications. Orders made on applications shall have strict priority amongst themselves according to the date and serial number of the order. Any departure from this rule shall be at once reported to the Presiding Officer with the reasons for such departure and the fact of such departure shall be attested by the Presiding Officer's initials against the entry in register of applications for copies relating to the applications exceptionally treated.

272. *Urgent copies.*—A copy for which an order has been made on an urgent application shall be delivered as a rule, not later than the working day next after the day on which the order was made.

273. *Date for delivery of a copy.*—A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy, as far as possible, shall be delivered on the date so fixed.

If for any reason, the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date, when the copy may be expected to be ready for delivery.

If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he has deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice board of the court.

274. *Delivery of a copy when ready.*—When a copy is ready, and the applicant or his authorised agent is present, the copy shall be given to him. If the applicant or his authorised agent is not present, a notice over the signature of the head of the office shall be affixed to the notice board notifying that the copy is ready for delivery. If from the date of the fixing of the notice, the applicant appears within three months, the copy shall be delivered to him. If the applicant does not appear within this period, the copy shall be destroyed under the order of the Presiding Officer, an entry to that effect being made in the remarks column in the register of copying applications.

275. *Copies prohibited.*—Except for special reasons to be noted by the Presiding Officer upon the back of the application, no copy shall be granted (1) of Official correspondence and reports and (2) of a document which is itself a copy.

276. *A copy of a copy may only be granted if the original documents is not traceable.*—A copy of a copy may only be granted, if the original document is not traceable, or is not accessible to the applicant for the purpose of obtaining a copy. Each page of such copy shall bear in red ink, the remarks that it is a copy of a copy.

277. *Application to subordinate court when record is to go to head-quarters.*—If an application for a copy be made in any subordinate court, the Presiding Officer may decline to grant a copy from a record which will, within three days, be required for transmission to a superior court or to the Record Room and in such case the date of the application and the fact and date of such refusal shall be endorsed upon the application, and shall be signed by the Presiding Officer, and the application shall be returned to the applicant with instructions to present it in the court concerned.

If an application so returned be subsequently presented in the superior court or the court to which the record room is attached, the Reader or the Head Copyist shall endorse thereon the date of the Presentation in such court.

278. *Difficulty to be referred to the Presiding Officer.*—In case any difficulty arises in complying with an order for a copy, the application and order together with an office report shall be forthwith laid before the Presiding Officer for orders.

279. *Standard of work for Copyists.*—It shall be the duty of the Head Copyist to see that every copyist is fully employed during court working hours or during such longer time as the Presiding Officer may direct, that he is constantly at work during such time and his work comes up to the standard noted in rule 280. The Head Copyist shall himself carry out so much copying as the Presiding Officer of the court may consider practicable with reference to the Head Copyist other duties.

280. *Standard of work for typists and Copyists.*—The following standard of work is fixed for typists and copyists:—

English Typists.....Four thousand words per day.

English CopyistTwo Thousand five hundred words per day.

Hindi Copyist.....Two thousand five hundred words per day.

281. *Register of out turn of copyists.*—A register in the prescribed form shall be maintained by all Head Copyists in which a note of the words copied by each copyist shall be kept and average shall be worked out weekly.

282. *Collector to be informed when work increases for copyists.*—If, in any court, copying work increases so much that the existing staff of copyists cannot cope with it, the Head Copyist shall at once report to the Collector who shall ascertain whether any increase of establishment is necessary; and if an increase be necessary in his opinion, he shall report the matter for the orders of the Revenue Board.

283. *Collector to be informed when work not sufficient for copyists.*—If, in any court, copying work falls off so that every copyist cannot be fully employed, the Head Copyist shall at once report to the Collector, and if during any quarter of the year, the

actual receipts in any court on account of copying work fall below the disbursements the Presiding Officer of such court or the Collector shall report the matter on or before the fifteenth day of the first month of the next quarter to the Revenue Board for orders. The Presiding Officer or the District Collector as the case may be, shall thereupon hold in abeyance fresh appointment to his clerical establishment till such time as he considers necessary.

CHAPTER X.

Payment of Fees to the Legal Practitioners.

284. *Payment of fees to Legal Practitioners—Scale of fees prescribed*—In all suits or applications of a judicial or quasi judicial nature pending in any Revenue Court or office and being suits or applications for money or in respect of a claim the pecuniary value of which can exactly be defined, the sums which may be charged to an unsuccessful party in respect of the fees of his adversary's advocate, pleader, vakil or attorney shall not exceed the amount, if any, actually certified as paid in the court or the maximum prescribed in the Schedule below, whichever be less:—

Schedule.

(a) If the amount or value of the claim does not exceed Rs. 5,000 at 5 per cent.

(b) If the amount or value exceeds Rs. 5,000 and does not exceed Rs. 20,000 on Rs. 5,000 at 5 per cent and on the remainder at 2 per cent.

(c) If the amount or value exceeds Rs. 20,000 and does not exceeds Rs. 50,000 of Rs. 20,000 as above, and on the remainder at 1 per cent.

(d) If the amount or value exceeds Rs. 50,000 on Rs. 50,000 as above and on the remainder at $\frac{1}{2}$ per cent.

Provided that:—

(i) in no case shall the amount of any fee exceed Rs. 4,000/-.

(ii) in any suit, application or claim in any Revenue Office of original jurisdiction which is undefined the amount to be paid as the fee of the adversary's pleader, or agent shall be calculated at one half the sum at which it would have been charged had the suit been defended, and the fee shall not be less than Rs. 2/- in a contested case and rupee one in an uncontested case.

285. *Fees when value cannot be exactly defined.*—In all suits, applications and miscellaneous proceedings in respect of which the pecuniary value of the claim cannot be exactly defined as for example in suits for a lease or the counterpart of the lease, or for abatement or enhancement of rent, or for ejectment or reinstatement or in partition proceedings, the Presiding Officer or the Board may award the fees actually paid by the successful adversary as certified subject to the maximum mentioned below; and where such a certificate has not been filed the Presiding Officer may, having regard

to the time occupied in the decision in the case and the nature of the question raised therein, fix reasonable fee which shall in no case exceed—

Rs. 50/- for the court of the Commissioner,

Rs. 16/- for the Court of the Collector; and

Rs. 10/- for the Court of the Assistant Collector or Tehsildar.

286. *Second fee not to be charged in execution.*—A pleader, or revenue agent receiving a fee in any suit, appeal or proceeding shall carry the suit or proceeding to an end, and make all necessary applications in the execution department and a second fee shall not be charged by the courts to the judgement-debtor in the execution department, unless the decree-holder can satisfy the court that it was absolutely necessary to employ another pleader, or revenue agent, in executing his decree, and that the services of the pleader, or revenue agent, in the matter were indispensable.

287. *Fees when case is dismissed.*—If any suit, application, or claim is dismissed for default or upon merits or is decreed for the defendant, defendants' pleader or agents; fee shall be calculated upon the whole value of the suit.

288. *Fees when case is decreed in part.*—If any suit, application, or claim is decreed for the plaintiff as to part only of his claim and as to the remainder is dismissed, or decreed for the defendant, the fees allowed to each party's pleader or agent, shall be calculated upon the value of that part of the claim in respect of which he has succeeded.

289. *Fees when in a successful suit full amount of damages claimed is not allowed.*—If in any suit for damages, under the rent laws, the plaintiff fails to recover the full amount of damages claimed, the defendant shall not be entitled to any allowance for a pleader or agents fee in respect of the difference between the amount of damages claimed and the amount recovered, unless the Presiding Officer of the court, or office shall be of opinion that the amount claimed for damages was unreasonable or excessive, and shall for that or any other cause (to be specified) direct that a fee for his pleader, or agent shall be allowed to the defendant. If specially allowed, the amount of such fee shall be calculated upon the amount of damages disallowed to the plaintiff.

290. *The court may allow higher or lower fees or disallow any fees.*—Notwithstanding anything contained in these rules, the Court may allow a higher fee if, in its opinion, the fee allowable under the rules, having regard to the circumstances of the case is inadequate, or may, for sufficient cause shown allow a lower fee or order that no fee be entered in the table of costs of a party.

291. *Several defendants succeeding upon a joint common defence.*—Where several defendants arrayed as appellants or respondents in a court having a joint or common interest succeed

upon a joint defence to the suit or upon separate defences which are substantially the same the total sum to be entered in their joint table or in their respective tables of cases shall not exceed that allowed under the rule applicable to the class to which the case belongs, unless the Court hearing the case orders otherwise.

If only one fee is allowed, the Court may indicate to which of the defendants it shall be paid or may apportion it amongst them in such manner as it may think fit. If the Court makes no such order, it shall be apportioned equally among such defendants as may have appeared by a pleader advocate or revenue agent.

292. *Several defendants succeeding upon separate and distinct defences.*—Where several defendants whether arrayed as appellants or respondents in a court having separate interests have set up separate and distinct defences, a separate fee is allowable under the Rule applicable to the class to which the case belongs may, if the Court so orders, be allowed in respect of the separate interest of each such defendant as may have appeared at the hearing by a separate Advocate and succeed upon his separate and distinct defence.

293. *Effect of falsely valuing the claim.*—Notwithstanding anything contained in these rules, the court may order that no sum in respect of Advocates' fee shall be included in the table of costs of a party, in whose plaint, memorandum of appeal or application as the case may be, the value of the claim has been falsely and dishonestly stated. In such case, the Court may allow such additional sum to be included in the table of costs of the other party on account of Advocates' fee as may appear to it to be reasonable.

294. *Fee of Advocate not present.*—No fee with respect to any Advocate shall, unless he is present at the hearing of the case, be included in the taxation of costs.

CHAPTER XI.

Library.

295. *General Register of Books and Periodicals.*—All books in the library shall be entered in the General Register of books and also in the classified Catalogue.

Periodicals (*e.g.* Government Gazette or all India Reporter), which are eventually bound in volumes of a form different from that in which they are first received shall in the first instance be entered in the Register of Periodicals. They shall be taken over in the General Register of Books and the Classified Catalogue when they are bound in the proper form.

296. *Classification and arrangement of Books.*—Books shall be classified in the Catalogue and arranged in the library, in the manner following:—

- I. Collection of Acts, Ordinances and Regulations:—
 - (i) Central,
 - (ii) Rajasthan,

- (iii) Other States.
- II. Special Acts, when printed separately.
- III. Commentaries on Acts.
- IV. Law Treatises.
- V. Departmental Codes, Guides, Manuals and Circulars:—
 - (i) Judicial,
 - (ii) Revenue.
 - (iii) Finance and Accounts.
 - (iv) Miscellaneous.
- VI. Law Reports.

Note.—There shall be a separate sub-head for each separate series of law reports, e.g., A.I.R., I.C., I.L.R. (Allahabad), I.L.R. (Bombay), R.D., R.L.W., etc.

VII. Digests.

Note.—There shall be a separate sub-head for each separate series of digests.

VIII. Periodicals.

IX. Administration Reports:—

- (i) India,
- (ii) Rajasthan.
- (iii) Other States,
- (iv) Miscellaneous Departments.

X. Dictionaries, Glossaries, Lists and Directories.

XI. Miscellaneous.

Any additions or alterations to the heads or sub-heads given above may be made only with the sanction of the Board of Revenue.

297. *Duties of Librarian.*—It shall be the duty of the Librarian:

(1) to stamp the seal of the Court on the title page, the tenth page and the last page of each book; and enter in it the number assigned to the book.

(2) to check the Catalogue at the commencement of each year;

(3) to issue books from the library in accordance with the rules following, and to see that no books are issued otherwise;

(4) to report the loss of any book from the library as soon as discovered.

298. *Receipts for Books taken out.*—When any officer requires a book from the library he shall send a receipt for it on a slip of paper, which shall be returned to him when the book is returned to the library.

The Librarian shall enter in a Book to be kept for that purpose—

- (1) the name and number of each book removed from the library on that day and not returned before the close of the day;

- (2) the date when it was removed;
- (3) the name of the person who received it; and
- (4) the date when such book is returned to the library:

Every reasonable facility is to be afforded to Government Counsel to consult the law books in the Boards Library.

299 *Check of Books.*—The Librarian will submit to the Presiding Officer a quarterly list in January, April, July and October, showing the books which have been out of the library for more than three months. He will then take necessary steps to secure the return of the books unless there is good reason for their retention by the borrower

300. *Loss of Books.*—When the loss of any book is reported the Presiding Officer will after making necessary enquiry decide whether the cost of the missing books should be recovered and if so from whom.

301. *Binding of Books.*—Valuable books may, with the previous sanction of the Presiding Officer be sent to be bound at the Government Press or elsewhere as may be necessary.

Gazettes.—Gazettes shall be regularly filed and carefully bound into annual volumes.

302. *Books etc. not to be weeded.*—The following books and publications shall not be weeded without reference to the Registrar;—

- (1) Collections of Acts, Ordinances and Regulations,
- (2) Commentaries on Acts.
- (3) Law Treatises.

(4) Latest editions of the Manual of Government Orders, Book Circulars of the Board of Revenue Service Rules, Treasury Manual, Financial Hand-Books, Civil Account Code, Standing Orders of the Accountant General and of the directions and Manuals (including circulars) of the various departments also single copies of suspended editions of the above.

(5) Law Reports.

(6) Digests.

(7) Government Gazettes.

(8) Statements, Notes, Revenue Administration Reports, Census Reports and appendices.

303. *Publication which may be weeded.*—The following publications may be weeded out:—

(1) Duplicate copies of superseded editions of publications mentioned above

(2) Superseded editions of village directories, histories of gazetted officers and civil and army lists.

304. *Sale of books etc.*—Non-official publications and official publications which have been priced for sale to the public should, if it is decided to weed them under these instructions, be sold to the best advantage. All such publications shall, prior to sale, be stamped, inside the cover "Sold by order of the Court". For this purpose a special stamp will be supplied.

CHAPTER XII.

Processes and Process Fees.

305. *Fee Chargeable.*—(a) Fees as shown in the table shall be charged for serving and executing processes issued by revenue courts, and for the services of the officers executing the processes or conducting sales in execution of orders of decrees of such revenue courts:

Provided that if the case in which the process is issued is one which has been transferred from one court to another of different powers, the fee shall be that prescribed for the court from which the case was transferred and in which it could have been tried.

(b) A summons to a party or witness may be served by a special messenger in any case in which a court may *suo motu* or otherwise record an order that for the convenience of the parties or for some other reason it is expedient that such process should be executed by a special messenger. A special fee as in article 10 of the table of fees appended to this rule shall be charged for such emergent service and the court shall at the time of passing the order declare by whom the fee shall be paid, and whether it shall be included in the cost of the suit or be charged to a particular party. No such additional fee shall be charged in the case of a warrant for the arrest of a person.

306. Notwithstanding anything contained in rule 305 no fee shall be chargeable for serving or executing:—

- (1) any process which may be issued by any court, of its own motion unless the order of the court is for payment of the necessary process by a party;
- (2) any process issued a second time in consequence of an adjournment made otherwise than at the instance of a party or an intervener;
- (3) any copy of a warrant, order or certificate posted under Order XXI, rule 36, 54 or 96 when the fee chargeable under article 4 or article 8, Part I or under article 4, or article 8, Part I or under article 4, or article 7, Parts II and III, has been paid;
- (4) any copy of a summons, notice, order, proclamation or other process posted in a court house or other process posted in a court house or in the office of a Collector;
- (5) any notice issued by a District Court under Schedule III, paragraph 5 of the Code;
- (6) any order intimating withdrawal of attachment or postponement of sale;
- (7) any order intimating to a sales officer that permission has been given to a decree holder to bid for or purchase property under Order XXI, rule 72;
- (8) any copy of a notice of an application under Act No. VIII of 1890 sent to a Collector;

(9) any order directing an officer incharge of a jail to detain or to release a person committed to his custody.

307. *No fees to be charged for fresh service or execution of processes in certain cases.*—No fees shall be charged for fresh service or execution of processes in cases in which any processes are not served on account of a mistake of the Officer or fault of the process server.

308. A summons or notice served under Rule 13, 14, 15 or 17 of Order V of the Code shall be deemed to have been served for the purpose of this rule, even though the service is held to be insufficient under Order V Rule 19.

309. *Un-expended process fee.*—Except as hereinafter mentioned, no fee paid in respect of an order of attachment or an order of sale shall be refunded if the order in respect of which the fee has been paid has been passed.

310. If for any reason, it becomes unnecessary for an officer to proceed to make an attachment in the manner prescribed in Order XXI, rule 43, 44, 51 or 54 or make delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98, or 101 of the Code, any fee paid in respect of his services shall be refunded after a deduction at the rate of one anna in the rupee or part thereof.

311. *Poundage fee to be deducted from the deposit.*—If default be made in the payment of purchase money within the time specified in Order XXI, rule 95, of the Code, the fee payable by way of poundage shall be deducted from the deposit paid under Order XXI, rule 84, and stamps representing such fee shall be bought and affixed by the Court on the order directing the deduction to be made.

312. *Poundage less than an anna.*—Any fraction of an anna in a fee payable by way of poundage shall be remitted.

313. *Wages of Chainmen and incidental charges.*—Incidental charges, such as the wages of chainmen and the like, shall be levied in cash. Their amount will be at the discretion of the Court, and they shall be paid by the party named by the court before the *Amin* is deputed.

314. *Process fees taxable as costs.*—The fees paid in pursuance of these rules shall in all proceedings be deemed and treated as part of the necessary and proper costs of the party who pays them:

Provided that no fees or charges which have been refunded or in respect of which a party might have obtained a refund, shall be deemed and treated as necessary and proper costs within this rule.

315. *How to file Process fees.*—Process fees payable under these rules shall, except where otherwise indicated, be paid in adhesive court-fee stamps pasted on a separate sheet of paper on which shall be written the particulars of the case in which the process is to be issued and the description of the process of which it be the fees.

316. *Proclamation of a notice by beat of drum.*—When a notice has to be proclaimed by beat of drum a sum of eight annas in cash shall be tendered with every application for the issue of

such notice to cover the expenses of proclaiming the notice by beat of drum.

317. *Punching and Cancellation of stamps.*—Each Revenue Officer should, under Section 30 of the Court Fees Act, 1870, as adapted to Rajasthan, formally appoint an officer for the purpose of cancelling stamps. That officer, who should ordinarily be the Reader for documents filed in court (or other ministerial officer authorised to receive any applications) for documents presented before him, shall personally attend to and be personally responsible for, the strict fulfilment of the duty of receiving documents to be filed, examining the correctness and adequacy of the stamps attached thereto and immediately cancelling such stamps as are required by Section 30 of the Court Fees Act. There is no objection to the ministerial officer appointed employing trustworthy subordinates to do the mere manual work of cancelling the stamps, subject to the approval of the court, but it will be on the distinct understanding that that officer will be personally responsible for the execution of the duty and for any defalcation or fraud that may occur in connection with it.

Note:—(1) The Presiding Officer should see that punching is done immediately on presentation of the petitions and other documents in court.

(2) A rubber stamp in the following form shall also be used:—

<p><i>Cancelled.</i></p> <p><i>Date</i> </p>
--

It should be applied across the adhesive stamps and upon the paper on either side of it but not in such a way as to obliterate the entries thereon or to render the detection of forgeries more difficult.

318. Too strict a compliance with the provisions of Section 30 of the Court Fees Act can not be enjoined. In all cases it should be carefully seen that the figure heads of the court-fee stamps are punched out, that the pieces are destroyed, and the stamps registered before the documents to which the stamps are attached are filed or acted upon.

319. *Forgery of Stamps to be reported to Government*—The Presiding Officer of every Revenue Court shall report immediately to the State Government through the Inspector General of Stamps and Registration Rajasthan, any instance of forgery or fraudulent use of any description of stamps whether general, Judicial, Postal or Telegraph coming to his notice. Such report shall be accompanied by full particulars of the nature of the forgery or fraud perpetrated, and, if possible, by specimens.

320. The fees exhibited in the following table shall be charged in the Revenue Courts for serving and executing the several process against which they are respectively ranged:—

*Table of Fees.**Part I.*

For processes issued from the Revenue Board.

Article 1.

Notice of appeal or other notice to respondents, where the number of respondents to be served is not more than four, one fee 1/8/0.

Where the number of such respondents is more than four, the fees above-mentioned shall be charged for the first four together with an additional fee of six annas for every respondent in excess of four; provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight.

Article 2.

Summons to witnesses, where the number of witnesses to be served is not more than four, one fee 1/8/0.

Where the number of such witnesses is more than four, the fee above mentioned shall be charged for the first four together with an additional fee of annas six for every witness in excess of four.

Article 3.

Warrant of arrest in respect of each person to be arrested 2/0/0.

Article 4.

Notice, proclamation or injunction or other order not otherwise provided for, where the number to be served is not more than four, one fee 1/8/0.

Where the number is more than four, the fee above-mentioned shall be charged for the first four together with an additional fee of annas six for every process in excess of four, provided that the aggregate amount of fees levied under this clause shall not exceed rupees seven annas eight.

(2) Sub-Rule (1) shall, with necessary modification and adaptations, also apply to fees chargeable for, serving and execution processes in exercise of the Court, revisional jurisdiction.

Part II.

For processes issued from the Courts of Collectors Settlement Officer, Commissioner and Settlement Commissioner.

Article 1.

Summons to defendants, when the defendants are not more than four in number one fee, 1/4/0.

When the defendants are more than four in number, then the fee above mentioned for the first four and an additional fee of five annas for every such defendant in excess of four; provided that the aggregate amount of the fees levied under this article shall not exceed six rupees four annas.

Article 2.

Summons to witnesses, when the witnesses are not more than four in number, one fee 1/4/0.

When the witnesses are more than four in number, then the fee above mentioned for the first four, and an additional fee of five annas for every such witness in excess of four.

Article 3.

Every order of attachment 1/0/0.

Article 4.

In respect of the services of the Officers making an attachment in the manner prescribed in Order XXI, rule 43, 44, 51 and 54 and section 46 of the Code when the property is to be attached in one town or village only one fee 4/0/0.

When property is to be attached in more than one town or village, then the fee above-mentioned for the first town or village specified in the order of attachment, and an additional fee of one rupee for every other town or village; provided that the aggregate amount of fees levied under this article shall not exceed seven rupees.

Article 5.

Every warrant of arrest in respect of each person to be arrested 2/8/0.

*Article 6.**

Every order for the sale of property—

(a) in respect of the order of sale 1/0/0;

(b) by way of the poundage on the full amount of the purchase money.

If the sale be effected through a broker under Order XXI, rule 76 of Act No. V of 1908.

The commission payable to the broker and, in addition a sum equal to one-quarter of such commission.

On sales conducted by Revenue Courts, at the rate of 6½ per cent, or one anna in the rupee.

Article 7.

In respect of the services of the officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 95, 96, 98, or 101 of the Code when property is to be delivered in one town or village only one fee 4/0/0.

**Note.*—The portion (a) of this fee must be paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rules framed by the Revenue Board.

When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of one rupee for every other town or village; Provided that the aggregate amount of the fees levied under this article shall not exceed seven rupees.

Article 8.

Notice, proclamation, injunction or other order not specified

in any preceding, article of this part, when the copies to be served or posted are not more than four in number, one fee 1/4/0.

When such copies are more than four in number, then the fee above mentioned for the first four, and an additional fee of five annas for every such copy in excess of four; Provided that the aggregate amount of the fees levied under this article shall not exceed six rupees eight annas.

*Article 9***.*

If the service of a process, other than a warrant for the arrest of the person declared "emergent" 1/0/0.

Part III.

For processes issued from the Courts of Tehsildars, Assistant Collectors, Assistant Settlement Officers and Assistant Records Officer.

Article 1.

Summons to defendants, when the defendants are not more than two in number, one fee 0/10/0.

When the defendants are more than two in number, then the fee above mentioned for the first two, and an additional fee of three annas for every such defendant in excess of two; Provided that the aggregate amount of the fees levied under this article shall not exceed four rupees.

Article 2.

Summons to witnesses in respect of each witness 0/5/0.

Article 3.

Every order of attachment, 0/10/0.

Article 4.

In respect of the services of the Officer making an attachment in the manner prescribed in Order XXI, rule 43, 44, 51 and 54 and Section 46 of the Code when property is to be attached in one town or village only, one fee 2/0/0.

When property is to be attached in more than one town or village, then the fee above mentioned for the first town or village specified in the order of attachment, and an additional fee of nine annas for every other town or village; Provided that the aggregate amount of the fees levied under this article shall not exceed there rupees.

***Note:—This will be payable in addition to the ordinary fee specified in article 2 or 8 of this part.

Article 5.

Every warrant of arrest in respect of each person to be arrested, 1/4/0.

*Article 6.**

Every order for the sale of property—

(a) in respect of the sale 0/10/0;

(b) by way of poundage on the full amount of the purchase money.

If the sale be effected through a broker under Order XXI, rule 76 of the Code.

The Commission payable to the broker, and in addition a sum equal to the quarter of such Commission

On sales conducted by Revenue Courts, at the rate of $6\frac{1}{2}\%$ or one anna in the rupee.

Article 7.

In respect of the services of the Officer making delivery of possession of property under Order XXI, rule 31, 35, 36, 35, 96, 98 or 101 of the Code when the property is to be delivered in one town or village only one fee 2/0/0.

When property is to be delivered in more than one town or village, then the fee above mentioned for the first town or village specified in the warrant of delivery, and an additional fee of eight annas for every other town or villages; Provided that the aggregate amount of the fees levied under this article shall not exceed three rupees.

Article 8.

Notice, proclamation, injunction or other order not specified in any preceding article of this Part, when the copies to be served or posted are not more than two in number, one fee 0/10/0.

When such copies are more than two in number then the fee above mentioned for the first two and an additional fee of three annas for every such copy in excess of two; Provided that the aggregate amount of the fees levied under this article shall not exceed four rupees.

Article 9.***

If the service of a process, other than a warrant for the arrest of the person to be declared "emergent" 0/10/0.

**Note.*—The portion (a) of this fee must be paid when the process is obtained and the poundage (b) at the time and in the manner prescribed in rules framed by the Revenue Board.

****Note.*—This fee will be payable in addition to the ordinary fee specified in article 1, 2, or 8 of this Part.

CHAPTER XIII.

Forms of Oath and Affidavits.

321. *Forms of Oaths.*—The following forms of Oaths and affirmations are prescribed under section 7 of the Indian Oaths Act by the High Court of Rajasthan:—

(1) Oaths for witness—"The evidence which I shall give to the Court shall be the truth, the whole truth, and nothing but the truth, so help me God".

(2) Affirmation for witness—"I solemnly affirm that the evidence which I shall give to the court shall be the truth, the whole truth, and nothing but the truth".

(3) Oath for interpreter—"I will well and truly interpret what is deposed by the witness (or witnesses) before the Court. So help me God".

(4) Affirmation for interpret—"I solemnly affirm that I will well and truly interpret what is deposed by the witness (or witnesses) before the court".

(5) Oath for person making affidavit—"I swear that this my declaration is true; that it conceals nothing; and that no part of it is false. So help me God".

(6) Affirmation for person making an affidavit—"I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false".

322. *Affidavits*.—An affidavit shall fully describe the person swearing the affidavit with such particulars as will ensure his clear identification such as his full name, the name of his father, his religious persuasion, his rank or degree in life, his profession, calling occupation or trade and his true place of residence. Any person or place referred to in an affidavit shall be fully described in such manner as to enable his or its identity to be clearly fixed except as otherwise provided by law.

Any affidavit may be sworn by any person having knowledge of the facts deposed to therein.

Two or more persons may join in an affidavit, each deposing separately to such facts as are within his knowledge.

When the deponent speaks of any facts within his own knowledge, he must do so directly and positively using the words "I affirm" or "I make oath and say, or words to that effect."

Except on interlocutory applications, affidavit shall be confined to such facts as the deponent is able of his own knowledge prove.

323. On an interlocutory application when a particular fact is not within the deponents' own knowledge, but is based on his belief or information received from others which he believes to be true, the deponent shall use the expression "I am informed and verily believe such information to be true" or words to that effect, and shall sufficiently describe for purpose of identification, the person or persons from whom his information was received.

324. When any fact is stated on the basis of information derived from a document, full particulars of that document shall be stated and the deponent shall verify that he believes such information to be true.

325. *Identification of Deponents*.—Every person swearing an affidavit shall, if not personally known to the person before whom the affidavit is made be identified that person by some one known to him; and in such case the person before whom the affidavit is made shall state at the foot of the affidavit the name, address and description of the person by whom such identification was made.

Such identification may be made by a person:—

(a) Personally acquainted with the person to be identified; or

(b) who is reasonably satisfied as to his identity:

Provided that in the latter case the person so identifying shall sign at the foot of the affidavit a declaration in the following form, after there has been affixed to such declaration in his presence the signature or thumb impression of the person so identified.

Form of Declaration.

I (name, description and address) declare that I am satisfied on the grounds stated below that the person making this affidavit and alleging himself to be A.B. is that person.

Grounds.

326. *Affidavit by pardanashin woman.*—No affidavit purporting to have been sworn by woman who did not appear unveiled in the presence of the person before whom the affidavit was made shall be used unless she was identified in the manner specified in Rule 45, and the affidavit is accompanied by a separate affidavit by the person identifying her made at the time of identification setting forth the circumstances in which she was personally known to him or he was satisfied that she was such person as she alleged herself to be in her affidavit.

327. *Contents to be explained to deponent.*—The person before whom an affidavit is sworn shall ask the deponent if he has read the affidavit and understands the contents thereof. If the deponent states that he has not read it or appears not to understand the contents or does not know the language thereof he shall read and explain or cause another person to read and explain in his presence, the affidavit to such person. Until he is satisfied that the deponent fully understands its contents he shall not allow the affidavit to be sworn.

328. *Impounding of affidavit.*—When it appears to an Oath Commissioner that the deponent cannot be made to or will not understand the contents of the affidavit he shall not impound it and forward it to the Registrar for such action as he may consider necessary.

When an affidavit is impounded under this Rule the person impounding the same shall certify therein the date on which and the circumstances in which, it was impounded.

329. *Oath or affirmation by deponent.*—The person administering an oath or affirmation to the person making an affidavit shall follow the provisions of the Indian Oaths Act, 1873.

The following forms are prescribed namely:—

Oath.

I swear that this my declaration is true; that it conceals nothing; and that no part of it is false. So help me God.

Affirmation.

I solemnly affirm that this my declaration is true; that it conceals nothing; and that no part of it is false.

330. *Corrections in affidavit.*—All interlineations, alterations or erasures in an affidavit shall be initialled by the person swearing it and the person before whom it is sworn. Such interlineations or alterations or erasures shall be made in such manner as not to obliterate or render it impossible or difficult to read the original matter. In case such matter has been obliterated so as to make it impossible or difficult to read it, it shall be re-written in the margin and initialled by the person before whom the affidavit is sworn.

No interlineation or alteration or erasure shall be made in an affidavit after it has been sworn.

331. *Certificate of verification.*—The person before whom an affidavit is sworn shall certify at the foot of the affidavit the fact of the swearing of the affidavit before him, the manner in which he has complied with rule 327 and the date and hour of swearing of the affidavit and shall mark, initial and date any exhibits referred to therein.

332. *Affidavit containing numerous corrections may not be accepted.*—The Court or the Registrar may refuse to receive an affidavit in which the interlineations, alterations or erasures appear to be so numerous as to make it expedient that the affidavit should be re-written.

333. *Interpretation.*—In this Chapter 'Affidavit' includes a petition or other document required to be sworn, and 'sworn' shall include 'affirmed'.

No. 1 (Part II)

Remarks.

No. 2 (Part II)

Date.....Month.....Year.....

Remarks.

No. 3 (Part II)

(Rule 218)

Sydd If-Ort

Repayments

[illegible][illegible]

No. 4 (Part II)

Register No.
Register of Records taken by Presiding Officers to their Residence.
(Rule 130)

Serial Number	Kind of case	Number and year of case	Title of case	Next date of hearing	Date when the Presiding Officer took the record.	Date when the Presiding Officer returned the record	Remarks
1	2	3	4	5	6	7	8

No. 5 (Part II)

Register regarding result of the decision of the appellate
Court to be sent to the lower court.
(Rule 139)

Serial No.	No. and year of case.	Names of Parties.	Subject.	Date of Decision of appellate court.	Result of Decision.	Name of lower Court to whom the result of decision communicated	Date of communicating the result.	Remarks.
1	2	3	4	5	6	7	8	9

No. 6 (Part II)

Register No.
Process Register.
(Rule 220)

S. No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Date of issue				Number of case and names of parties.	Date of receipt for issue.	Date fixed for return to Nazir.	Date fixed for hearing.	Nature of process	Within five mile radius.	Outside five mile radius.	Name of process server.	S. No. in register of Petty Receipts and Repayment.	Amount as entered in Register of Petty Receipts Repayments.	Date of service.	Place of service.	S. No. in Register of petty Receipts and Repayments.	Amount as entered in Register of petty Receipts and Repayments.	Date of return of process to the Court of issue.	Signature of Official acknowledging receipt of return of process.	Remarks.
																				(State the number of peons remaining unemployed at close of day after distribution of processes.)

No. 7 (Part II)

Register No.
(Rule 220)
Process Servers Diary.

Date	Particulars of work and time spent thereon.	Signature of Nazir, (or of Patwari, zamindar or any respectable person.)	Remarks.
1	2	3	4

No. 8 (Part II)

Register No.
Register of Appeals from decrees.
(Rule 220)

Date of presentation of memorandum.	1	2	How instituted	1. Originally presented	2. Received by transfer.	3. Remanded; 4. Reviewed; 5. Revived.	Number of appeal.	Name of applicant with description and place of abode.	Name of respondent with description and place of abode.	Decree appealed from			Date fixed for hearing	Judgment			Appeal from appellate decree			Remarks.
										Of what court.	Number of original suit	Particulars		Date.	Confirmed reversed or altered.	For what or amount.	Date of institution	Date of disposal.	Judgment.	
	1						3						10	11	12	13	14	15	16	17

No. 9 (Part II)

Register No.
Register of Appeals from decrees disposed of.
(Rule 220)

Serial Number	Date	Number of appeal & names of parties.	Value of appeal	Date of institu- tion	Date of Disposal	How disposed of							Aggregate No. of days appeals remained pending.	Amount of pleader's fees	Whether higher than ordinary fee awarded	Number of papers on the record	Remarks.	17
						Rejected	Dismissed	Confirmed	Modified	Reversed	Remanded							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17		

Register of Decided Cases,
(Rule 220)

No. 10 (Part II)

Serial No.	No. and year of the case	Names of Parties	Subject	Date of decision with Result	Remarks.
1	2	3	4	5	6

No. 11 (Part II)

Register No.
(Rule No. 218)
Despatch Register of the Office of.....
Dated.....

Sanctional Outward No. with case mark	To whom sent	Value of postage stamps affixed	Remarks.
1	2	3	4

No. 12 (Part II)

Register No.
General Outward Register
(Rule 218)

Date	Outward No.	To whom sent	Brief contents of the letter	Remarks.
1	2	3	4	5

Register No.
(Rule 218)
Despatch Register (Local)

No. 13 (Part II)

Date	Number and date of paper.	Branch or Section.	Description of paper or papers	To whom addressed	Acknowledgment of person receiving paper or papers.	Remarks.
1	2	3	4	5	6	7

Register No.
(Rule 218)
Despatch Register (Postal).

No. 14 (Part II)

Date	Number and date of paper	Branch or Section.	Description of paper or papers.	To whom addressed	Weight of letter or parcel.	Value of postage Stamps affixed.	Remarks.
1	2	3	4	5	6	7	8

Date of institution		How instituted i. e.		Number of case.		Name, description and place of abode of plaintiff or applicant.		Name, description and place of defendant or opposite party		Nature of case		Date of disposal		Number		Aggregate number of days suits remained pending		Ex-parte		On admission of claim		Compromised		After full trial								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33
Number	Aggregate number of days suits remained pending	On reference to arbitration	By transfer		Appeal		Appeal from appellate decree		Number and date of appeal.	Date and purport of judgment in appeal.	Number and date of application.	Date of order	Against whom	For what, and amount, if any.	Amount of cost	Amount paid into court.	Arrested	Minute of other return	than payment or arrest	and date of every return	Remarks.											
			Number	Aggregate number of days suits remained pending																												

No. 16 [Part II]

Register No.

Register of Receipts of Deposits in the Court of.....19.....
(Rule 218)

Details of Deposits										Details of Repayments.							
S. No. of deposit.	Date of deposit	From whom received	Name of Court ordering deposit	Number and year of case.	Kind of case.	Title of case.	Nature of deposit	Amount of deposit.	Initials		Number & date of repayment order	Amount	Initials of Presiding Officer.	Number & date of Treasury Advice list	Number and date of repayment order	Amount	Initials of Presiding Officer
									Initials of Munsif	Initials of Presiding Officer.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Details of Repayments										Balance carried to clearance register				Lapsed & credited to Government		Remarks.
19	20	21	22	23	24	25	26	27	28	Date	Amount	30	31	32	33	
No. & date of Treas- ury Advice list	No. & date of repay- ment order.	Amount	Initials of Presi- ding Officer.	No. and date of Treasury Advice List	No. and date repay- ment order.	Amount	Initials of Presi- ding Officer.	No. & date of Treas- ury Advice List.	Total repayments							

No. 17 [Part II]

Register No.
[Rule 218]

Register of Execution Applications.

1	2	3	4	5	6	7	8	9	10	11	12	13
Date of application	Number of application in this register.	S. No. and year of institution.	Names of parties to the application.	Date of decree or order	Name of court which passed the decree	Date of last preceding application, if any, for execution.	Amount, property, or other relief sought to be obtained by execution.	Cost incurred after institution of application not in Column 8.	Amount, property or other relief obtained by execution	Amount, property or other relief not obtained by execution	Date of disposal	Remarks.

No. 18 [Part II]

Register of Revenue Appeals from Decrees in the Court
orders

Collector
for the year
[Rule 218]

1	2	3	4	5	6	7	8	9	10	11
No. of suit	Date of institution.	Name of the Court whose decision appealed against together with case No. of that court and date of judgment or order.	Parties with particulars of suit or applications	Amount of Court fee paid in appeal.	Date of hearing	Date of judgment.	Brief abstract of Judgment.	Order in Second appeal with date	Order of Board of Revenue in Revision.	Remarks.

No. 21 [Part II]

Register No.
Memorandum Book of dates for C
(Rule 220)

Cases fixed for hearing on day, the 19.....

S. No.	Kind of case Original, appeal etc.	Number and year of case	Plaintiff, Appellant or Applicant	Defendant, Respondent, or opposite party	Name of pleader for plaintiff or Applicant	Name of pleader for Defendant, Respondent or opposite party	Purpose for which case is set down for hearing	Date to which adjourned, if case not disposed of	Remarks.
1	2	3	4	5	6	7	8	9	10

Register of proceedings taken in execution of order received from the Board
of Revenue for Rajasthan.
(Rule 220)

No. 22 [Part II]

Serial No.	No. and year of case	Names of parties	Subject	Date of Board's Order	Particulars of order	Date of receipt of Board's order	Proceeding taken in execution of order	Remarks.
1	2	3	4	5	6	7	8	9

Register No. No. 23 (Part II)
Register of sanctioned estimates of copying charges for Maps, Plans, etc.
(Rule 220)

S. No. of this register	Number and date of copying application	Name of applicant	Record from which copy required			Description of map, plan etc. to be copied	Amount of sanctioned estimate	Signature of the Presiding Officer or Officer in-Charge of the Copying Section	Remarks showing when fee realised or application dismissed
			Kind of case	Number & year	Title				
1	2	3	4	5	6	7	8	9	10

Register of Fines, Stamps duties and penalties levied.
(Rule 220) No. 24 (Part II)

Serial Number	Number and year of Case	Name of Parties	Subject	Date of decision	Fine/penalty/Stamp duty imposed	Name of the person on whom fine/, penalty/Stamp duty imposed	Date of recovery	Remarks
1	2	3	4	5	6	7	8	9

Register No.
Register of Application for copies
(Rule 220)

Serial Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20		
Date of application		Value of Court fee on Copying folios filed		Name of applicant		Whether		Paper or papers of which copy applied for				Kind of case		No. & year of case		Title of case		Particulars of record from which copy applied for				
Ordinary		Urgent		Name of applicant		Party		Stranger		Paper or papers of which copy applied for				Kind of case		No. & year of case		Title of case		Particulars of record from which copy applied for		
Value of Court fee on Copying folios filed		Value of Court fee on Copying folios filed		Name of applicant		Whether		Paper or papers of which copy applied for				Kind of case		No. & year of case		Title of case		Particulars of record from which copy applied for			Value of Court fee on Copying folios filed	
Date and hour when application received by the Record Keeper or clerk in charge of record		Date and hour when record was received by the Head copyist		Date and hour on which record was returned by the Head Copyist		Last date fixed for delivery of copy		Date on which notice if any regarding preparation of copy posted on Notice Board		Name of Copyist		Date of delivery of copy		Date of delivery of copy		Remarks.						

Register No.
Register of Inspection of Records
(Rule 220)

Serial Number	Date of application	Value of Stamp on application	Name of applicant		Whether the Applicant is		Particulars of the record which inspection if sought				Date and hour when application received by Officer in charge of record	Date and hour of receipt of record by inspection clerk	Inspection made on	Date and hour of return of record by Inspection clerk	Acknowledgment by Record Clerk	Remarks.
					A party or his agent	A stra-nger	Of what Court	Kind of case	Number & year of case	Title of case	Date of decision	of hearing				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

No. 27 (Part II)

Register No.
T.A. Bill Register
(Rule 220)

Court of.....
get Allotment.....

No.	Date	Brief Particulars	Amount	Amount passed in Audit	Balance of Allotment	Remarks.
1	2	3	4	5	6	7

No. 28 (Part II)

Day Book
(Rule 220)

Serial Number	Date of receipt of file	Date of decision	Designation of officials from whom received	Description of case with serial number in misband register		Number and name of tanaua		Date of return for correction by Ahlmaids	Signature of recipient	Date of receipt after correction.	Remarks.
				No.	Description	No.	Name				
1	2	3	4	5 (a)	5 (b)	6 (a)	6 (b)	7	8	9	10

Register No.
Stock Book of Stationery Articles
(Rule 220)

Order of attachment	16	In respect of services of attaching Officer	17	In respect of order of sale	18	Sale fee	19	Poundage	20	Other fees	21	Total	22	Inspection fees	23	Search fees	24	Grand Total	25	Signature of the person to whom delivered	26	Number and date of certificate	27	Nature of fees refunded	28	Amount	29		30	Remarks.
---------------------	----	---	----	-----------------------------	----	----------	----	----------	----	------------	----	-------	----	-----------------	----	-------------	----	-------------	----	---	----	--------------------------------	----	-------------------------	----	--------	----	--	----	----------

Date	Particulars	Number received	Number issued	Closing Balance	Signature of recipient	Remarks
1	2	3	4	5	6	7

Register of Contingent charges.
(Rule 220)

No. 34 (Part II)

Date	To whom paid Appropriation for each head.	No. of sub-voucher and contingent abstract	Un-usual charges		Description	Amount	Total of each contingent abstract	Total of each month's bill	Date of detailed bill	Date of admission with initial
1	2	3	4	5	6	7	8	9	10	

Register No.

No. 35 (Part II)

Acquittance Roll of.....for 19.....

(Rule 220)

Serial Number	Name	Designation	Rate of pay	Net amount Payable	Name of Month		Name of Month		Name of Month	
					Amount	Receipt	Amount	Receipt	Amount	Receipt
1	2	3	4	5	6	7	8	9	10	11

Register No. 39 (Part II)
Register of requisitions for records.
(Rule 220)

Serial Number	Date of receipt of requisition	No. and date of requisition	Name of Court sending for record	Particulars of case for which required				Particulars of record requisitioned				Date of disposal	Date by which record is required	Date of transmission of record	No. & date of despatch register	Date of return of record	Date of restoration of record to bundle.	Remarks
				No. and year	Title	Kind of case	Date of hearing	Of what Court	No. & year of case	Kind of case	Title							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19

Register No. 40 (Part II)
Cash Book (General)
(Rule 220)

In the Court of..... Month of..... Payments

Receipts

Date	No. of receipt where necessary	Particulars	Pay	Allowances	In recon- pment of permanent advance	Contingencies		Miscellaneous	Total	Classification	Sub-Vouchers Numbers	Particulars	Pay	Allowances	Contingencies		Miscellaneous	Total	Classification
						Advance payments	Advance permanent								Out of permanent advance	Out of money drawn in an- ticipation of payment			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

Register No.
Register of Circulars
(Rule 220-)

No. 41 [Part II]

Serial Number	No. and date of circular	Name of Court from where the circular issued	Subject	No. and year of the file in which the Circular is placed	Page of the file on which the circular is available	Remarks.
1	2	3	4	5	6	7

Register No.
Register of Returned Documents
(Rule 220)

No. 42 [Part II]

Serial Number	Name of court in which document filed	Number and year of case	Kind of case	Names of parties	Description of document with date	Names of parties to or named in the document	Date when document filed	Date of order for return	Date of actual return	Signature of Officer ordering return	Name of party to whom document returned	Signature of the person receiving the document	Signature of witness before whom document returned and who identified the recipient	Signature of official making return	Whether certified copy of document was substituted for original	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Register No.
Register of Letters issued
(Rule 220)

No. 45 [Part II]

Serial Number	Date	To whom addressed	Subject or contents	Reference	Acknowledgement of Nazir or despatcher.	Remarks.
1	2	3	4	5	6	7

Register No.
Register of Miscellaneous Appeals from orders.
(Rule 220)

No. 46 [Part II]

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Date of presentation of Memorandum.	How instituted i. e. 1. Original presented; 2. Received by transfer 3. Remanded; 4 Reviewed; 5. Revived;	Number of appeal.	Name of appellant with description and place of abode.	Name of respondent with description and place of abode.	Of what Court	Number of original suit.	Particulars	Amount of value	Date fixed for hearing.	Date	Confirmed, reversed or altered.	For what or amount.	R e m a r k s .
Order appealed from													
Judgment													

R e m a r k s .

Register No.
No. 47 [Part II]
Register of Pleadings.
(Rule 220)

Serial Number	1	2.	3.	4.	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Date of enrolment in the District register.			Name	Father's name	Number in Court register & year of admission.	Value of Stamp on certificate.	Date of application	Date of renewal certificate.	Value of Stamp on certificate.	Date of application	Date of renewal certificate.	Value of Stamp on certificate.	Date of application	Date of renewal certificate.	Value of Stamp on certificate.	Date of application.	Date of renewal certificate.	Value of stamp on certificate.	
R E M A R K S .																			

Register No.
No. 48 [Part II]
Register of Appeals from decrees.
(Rule 220)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Date of presentation of memorandum	How instituted 1. Originally presented 2. Received by transfer 3. Remanded 4. Reviewed 5. Revived	Number of appeal	Name of appellant with description & place of abode	Name of respondent with description and place of abode	Of what court	Number of original suit	Particulars	Amount of value	Date fixed for hearing	Date	Confirmed reversed or altered	For what or amount	Date of institution	Date of disposal	Judgment	R E M A R K S .

No. 49 [Part II]

Register No.
File Index
(Rule 220)

Head and Sub-head	Serial number (in File index)	Date of closing letter	Subject	Number of letters in file originally	Number weeded under the rules	Date of weeding	Remarks.
1	2	3	4	5	6	7	8

No. 50 [Part II]

Register No.
Stock Register.
(Rule 220)

1	2	3	4	5	6	7	8	9	10	11	12
Date of receipt	Name and description of article	Number of pieces	Form whom received	Cost	Reference to number and date of Contingent Bill	Initials	Date of disposal	Number of pieces disposed of	Value realised	Reference to number and date of Treasury Voucher	Initials.

No. 51 [Part II]

Register No.
Register of records handed over to Copyist
(Rule)

Serial No.	No. & date of copying application	No. & hour on which application received by the records clerk	Date & hour on which record sent to Head Copyist	Particulars of record sent.				Acknowledgement of Head Copyist	Remarks.
1	2	3	4	Name of Court	Kind of case	No. & year	Date of decision of hearing	9	10

No. 52 (Part II)

Register No.
Register of applications for copies disposed of.
(Rule 269)

Sr. No. of disposal.	Date of disposal.	Date of application.	Sr. No. of application.	Name of application.	Period taken in preparation of copy		Amount of copying fees paid.			Amount of copying fees ordinarily payable in copies issued free	Signature of recipient.	Despatch number & date in case of copies sent by post	Remarks.
1	2	3	4	5	In ordinary application	In urgent application	Ordinary copies.	Urgent copies	fees paid.	11	12	13	14
				Copy not prepared			9	10					

Register No. No. 53 [Part II]

Register of applications for copies relating to the applications exceptionally treated.

(Rule 269)

Serial number	Date of presentation of application	Name of applicant	Copy applied for	Date of order for preparation	Initial of Officer ordering preparation of copy	Date of Delivery	Signature of Recipient	Remarks.
1	2	3	4	5	6	7	8	9

Register No.

Register of words copied by each Copyist.

(Rule 278)

No 54 [Part II]

Sr. No.	Date of completion of copy.	Number and date of copying application	Name of applicant	Particulars of papers copied.	Number of words copied	Amount of copying fees chargeable			Remarks.
						Urgent copies	Ordinary copies	Free copies	
1	2	3	4	5	6	7	8	9	10

Register No.
General Register of books.
(Rule No. 294)

No. 55 [Part II]

Serial number	Date of receipt	From whom received	Name of book.	Number of Volume	Name of author.	Name of publisher.	Date of publication	Cost	Reference to contingent bill No. and date	Classification in Catalogue	Sectional number in Catalogue	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13

Register No.
Register of Periodicals received.
(Rule 294)

No. 56 [Part II]

Date of receipt.	From whom received	Reference to contingent bill No. & date.	Description of issue or copy received	Reference to entry in Library Register.				Remarks.
				Date	Sr. No. in general Register	Class and sub-head if any, in catalogue	Sectional No. in Catalogue	
1	2	3	4	5	6	7	8	9

Register No.
Classified Catalogue of Books.
(Rule 220)

No. 57 [Part II]

Class	Sub-head if any	Serial Number in class.	Number in the General Re- gister of Books	Date of receipt	Name of Book	Number of Volume	Name of Au- thor	Date of publi- cation	Name of publisher	Remarks.
1	2	3	4	5	6	7	8	9	10	11

Register No.
Register of books issued from Library.
(Rule 297)

No. 58 (Part II)

Serial Num- ber of issue.	Date of issue	Name of the book	General Serial number of book.	Class and sub- head if any	Sectional Serial number	To whom issued	Date of return
1	2	3	4	5	6	7	8

The Revenue Courts Manual.

Published in Raj. Rajpatra part IV (c) dated November 17, 1960 at page 473

Agents and Petition Writers held
in October, November, 1958.

No. F. 28 (40) Rev. D/60.—In exercise of the powers conferred by section 261 of the Rajasthan Land Record Act, 1956 (Act No. 15 of 1956), the Governor is pleased to order that the following rules be added to the existing rules for qualification, admission and enrolment of Petition Writers in the Revenue Courts of Rajasthan which have already been published in Appendix 'A' of the Revenue Courts Manual Part I:—

38. All expenditure pertaining to the examination for enrolment of Petition Writers in the Revenue Courts of Rajasthan would be met out from the Budget Head 'Major Head-25-General Administration. Minor Head-E-Secretariat and attached offices-C-Board of Revenue, Financial Commissioner and establishments (1) Board of Revenue, 4-Other charges (Examination charges)'.

39. The following will be the rates for payment of remuneration for setting the papers and examining the answer-books:—

1. Setting of Papers	Rs. 50/- per paper
2. Examining of Answer-Books.	Re. 0.50 Naye Paise per Answer Book.

This bears the concurrence of Finance Department (III) vide No. I.D. 3326/60, dated 21-6-1960.

By order of the Governor,
R. K. CHATURVEDI,
Secretary to the Government.

Published in Raj. Rajpatra part IV (c) at page 24

Jaipur, July 18, 1960.

No. D. 4564/60/F. 28 (8) Rev. D/59.—In exercise of the powers conferred by section 37 of the Indian Legal Practitioners' Act, 1879 (XVII of 1879), the Governor of Rajasthan is pleased to order that the following additions may be made to the existing regulations for conducting examinations for enrolment of Revenue Agents in Rajasthan which have already been published in Appendix 'B' of Revenue Courts Manual Part I:—

15. All expenditure pertaining to the examination for enrolment of Revenue Agents in the Revenue Courts of Rajasthan would be met out from the concerned Budget Head namely "Major Head

25-General Administration-Minor Head E Secretarial and attached offices-C-Board of Revenue, Financial Commissioner and establishments (1) Board of Revenue-4-other charges (Examination charges),

16. The following will be the rates for payment of remuneration for setting papers and examining the answer books:—

- | | |
|------------------------------|--------------------------------|
| 1. Setting of papers | Rs. 50/- per paper. |
| 2. Examining of Answer Books | Re. 0. 50 nP. per answer book. |

This bears the concurrence of Finance Department. III, vide No, ID, 3326/60 dated 21-6-1960.

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government.

RAJASTHAN REVENUE COURTS MANUAL

Notification No. F 68 Judl/BR/9463-9492.—In exercise of the powers conferred on the Board of Revenue by sub-section (1) of section 261 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act 15 of 1956), and with the previous sanction of the State Government, the Board hereby makes the following further amendments to the Rajasthan Revenue Courts Manual, as originally published in part IV-C, supplement of the Rajasthan Gazette, dated the 18th April, 1957 the amendments to come into force from the 1st of July, 1963, namely:—

AMENDMENTS

1. In the said rules :

(1) In rule 8 of Part I, after the existing clause (v), the following new clause shall be inserted namely:—

“(vi) revisions ;

(vii) second appeals to the Board under clause (d) of section 76 of the Rajasthan Land Revenue Act 1956 (Rajasthan Act, 15 of 1956.”

(2) In rule 9—

(a) for the existing clause (i), the following new clause shall be substituted, namely:—

“(i) all decrees or orders coming under the consideration of the Board on appeal except those specified in clause (vii) of rule 8”.

(b) clause (ii) shall be deleted and the remaining clause shall be renumbered as clause (ii).

[Published in Rajasthan Gazette-Part IV (Ga)-dated 27-6-63-Board of Revenue-Page 82).

THE RAJASTHAN LAND REVENUE (Land Records) RULES, 1957.

(Revenue Department)

NOTIFICATION.

Jaipur, dated the 8th October, 1957.

No. F. 9 (69) Rev-B/57.—In exercise of the powers conferred by sub section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956), the State Government does hereby make the following rules, namely:—

Preliminary.

1-A—Short title, extent and commencement—

(1) These rules may be called the Rajasthan Land Revenue (Land Records) Rules, 1957.

Notes

The State Government has framed these rules in exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956. The rules came into force on the date of the publication in the Rajasthan Gazette vide Notification No. F. 9 (69) Rev-B/57 dated the 8th October, 1957, of Revenue Department, Government of Rajasthan, Jaipur.

Section 261 (2) of the Rajasthan Land Revenue Act authorises the State Government to make rules consistent with the provisions of the Act. The rules regulate the appointments of Patwaris, Girdawar Qanungos or Land Records Inspectors and Sadar Qanungos, lay down their qualifications and conditions of service and prescribe their duties. The rules provide for the procedure according to which the work of Land Records will be carried out. The rules further prescribe the duties and powers of Naib-Tehsildar, Tehsildar, Sub-Divisional Officer and Collector in respect of Land Records work.

Sub section (2) of section 261 of Rajasthan Land Revenue Act empowers the State Government to make rules, consistent with the provisions of the Act, for:—

- (iv) prescribing the duties and powers of all revenue Courts and officers under this Act,
- (v) regulating the appointment of Patwaris, Girdawar Qanungos or Land Records Inspectors and Sadar Qanungos, laying down their qualifications and conditions of service and prescribing their duties.
- (xx) laying down under sections 112 and 131 the mode of preparation, attestation and maintenance of maps and field books,
- (xxi) prescribing under the said sections the form and contents of field books and the manner in which and the intervals at which changes therein shall be recorded,
- (xxii) regulating the mode of preparation, attestation and maintenance of the record of rights and annual registers referred to in sections 114 and 132, specifying the registers other than those referred to in section 114 to be prepared as constituents of the record of rights, and prescribing the particulars, other than those mentioned in section 121, to be specified in the khatauni,
- (xxviii) prescribing the intervals at which the annual registers shall be prepared under section 132 and the manner in which changes shall be recorded therein,

These rules have been first published in Rajasthan Raj-patra dated 23rd Jan, 1958 part IV (c) :

- (xxix) prescribing the hours during which and the conditions on which maps, field books and registers prepared under Chapter VII shall be open to public inspection, the fees on payment of which copies of entries therein may be prepared and issued and the mode of attestation of such copies,

These rules framed in pursuance of the above powers essentially relate to the preparation and maintenance of map, field book, annual registers and other records after the survey and record operations are over. The rules, therefore, prescribe the duties of the Revenue Officials from the level of Patwaris to Collectors in this respect.

The rules also contain the provisions regarding rent and revenue. The registers to be maintained in this regard have been prescribed. The duties in this respect of all the Revenue Officials from Patwaris to Collectors have been defined.

- (2) They shall extend to the whole of the State of Rajasthan.

- (3) They shall come into force on the date of their publication in the Rajasthan Gazette.

PART I.

Patwaris.

CHAPTER I.

Notes

Section 30 of the Rajasthan Land Revenue Act, reading as under, provides for the formation and alteration of Patwaris' Circles. The rules in this Chapter have been made under the provisions of this section.

The Director of Land Records, with the previous sanction of the State Government, may, from time to time, arrange the villages of each district in patwaris' circles and may alter the number and limits of such circles.

1. *Patwar Circles* — (a) The Director of Land Records may, with the previous sanction of the Government, form Patwar circles in compact blocks, in each of the Tehsils of a district, and may, with similar sanction, alter, from time to time, in the interest of efficient working, the number and limits of such circles.

(b) The Director may also, with similar sanction, form and alter a Patwar circle in areas covered by state grants or may combine one or more State grants and a Khalsa village or villages for the purpose.

2. *Guiding factors for the formation of circles.*—(a) In estimating the number of Patwaris required and in forming the Patwar circles, due regard shall be had to the following points:—

- (i) Khasra Numbers,
- (ii) Khewat holdings,
- (iii) Khatauni holdings,
- (iv) Total Area,
- (v) Cultivated Area,
- (vi) Assessed Land Revenue and
- (vii) Number of villages.

Generally, a Patwar circle shall have about 3,000 Khasra numbers with a land revenue of about Rs. 8,000 and area of about 7,500 acres of which about 2,500 acres may be cultivated. These factors may be more or less in consideration of the distances to be travelled and

the amount of work to be done by the Patwari, keeping in view the local conditions of particular tracts; in the sandy parts of Jodhpur and Bikaner Divisions, where the fields are big, the area in any one circle may be kept more than that stated above. Besides these, regard should be had to the complexity of the land holding body, the extent of Dofasli cultivation, the litigiousness of the estate-holders and cultivators and similar matters which may involve an increase or decrease in the work of the circles.

(b) If the amount of work so demands, the same village may be divided into more than one Patwar circles, each circle being allotted a separate set of plot numbers in serial order.

CHAPTER II.

Conditions of Service.

Notes

Section 31 of the Act authorises a Collector to, "appoint a patwari to each circle (patwar) for the maintenance and correction of annual registers and record under Chapter VII and for such other duties as the State Government may prescribe". This power of the Collector is, however, subject to rules made in this behalf under the Act. Section 35 of the Act requires the State Government to frame rules for regulating the qualifications, conditions of service and duties of Patwaris. The rules contained in this Chapter are meant to prescribe the qualifications, appointment and conditions of service of Patwaris and have been framed in pursuance of the powers given under above referred sections of the Act.

3. *General*.—The post of the Patwari shall not be hereditary.

4. *Appointment*.—(a) A Patwari shall be appointed to each circle.

(b) The appointment of Patwaris, Additional Patwaris and Assistant Office Qanungos will be made by the Collector.

(c) Persons, who have obtained the Patwar School Certificate, shall be eligible for appointment as Patwaris or Additional Patwaris, provided they are not below 18 years and above 25 years of age on the date of appointment. In case passed candidates are not available, those persons, who are already in Government Service and have not passed the Patwar Examination but have been working as Patwaris, Havaldars, Tafedars or Amins or who have worked in the Survey and Settlement Department for two years as Survey Amins or Patwaris, shall be eligible for provisional appointment as Patwaris. If such Government servants are also not available, candidates who have passed the Vernacular Final or High School or an equivalent or higher examination and can fulfil the condition of age limit may also be provisionally employed as Patwaris. Unqualified persons will be considered for employment only when qualified Patwaris are not available. They will be discharged as soon as qualified Patwaris are available to replace them. If any qualified Patwari is not available in the district, a requisition shall be sent to the Secretary, Board of Revenue (Land Records), through the Commissioner of the Division, who shall maintain a list of all qualified candidates in each district and shall recommend suitable

persons of other districts for appointment on receipt of such requisition. The fact that no qualified candidate is available shall be recognised only when the Secretary, Board of Revenue (Land Records), issue a certificate to this effect. All unqualified persons, working as Patwaris or appointed as such, shall have to obtain Patwar School Certificate within a period of two years; failing which their services shall be terminated. All cases of appointment of Patwaris shall be intimated to the Secretary, Board of Revenue (Land Records), so that he may correct his list from time to time and see that the unqualified employees do obtain the certificate within the time limit. The Commissioner of the Division shall also be informed of all appointments of Patwaris. Patwaris appointed provisionally will not be entitled to increments in the time scale of the Patwaris' salary until they qualify themselves by passing the Patwar Examination.

(d) A register of candidates shall be maintained by the Collector in Form-P-1. The number of candidates in this register should not be more than 20% of the number of Patwaris in the district. The candidates should generally be residents of the district concerned and should have the qualifications enumerated in sub-para (c) above. It will not be binding on the Collector to appoint the candidates according to the serial number of entries in the register unless two or more candidates possess similar qualifications and are equally fit for appointment. The Collector will see that the best person (having passed the Patwar Examination with the highest marks and having the best educational qualifications) gets the first chance. The sons and heirs of Patwaris may given preference if they fulfil other conditions mentioned above.

(e) No Patwari shall be posted to a circle which includes his home village or in which he or his nearest relations hold some immovable property of lands for cultivation.

5. *Salary*.—Subject to any sanctioned local allowance, the pay of all Patwaris is personal and does not depend on the circle to which a Patwari is posted. To begin with a Patwari will be appointed on the lowest pay of the sanctioned scale. The scale of pay and allowance of the Patwaris shall be as sanctioned by the Government from time to time.

6. *Security*.—Every Patwari should be required to furnish a security of Rs. 200.

7. *Promotion*.—(i) When any vacancy occurs in any higher cadre, the senior-most Patwari shall be recommended for promotion, unless the Collector decides that his work and conduct have been unsatisfactory or that he does not possess the required qualifications and suitability for such promotion and on such account he can be superseded. In this case the next senior Patwari, whose work and conduct have been satisfactory and who possesses the required qualifications and suitability, shall be recommended and promoted.

The Patwaris will be preferably considered for promotion as Accounts Clerks in the Tehsils provided they pass the required examination.

(ii) No Patwari shall be promoted if he has not passed the prescribed examination for Patwaris.

8. *Rewards* :—The Collector, on his own initiative or on the recommendation of other officers concerned, will grant rewards to the deserving Patwaris, to the extent of the sum annually allotted for the purpose in the land Records budget of his district. Generally the best of such Patwaris who have completed their record in time and whose work has been found correct and up-to-date will be selected and recommended for such rewards.

9. *Transfer* :—(i) The Collector may transfer a Patwari from one circle or Tehsil to another in his own district; but no transfer of a Patwari from one district to another shall be made without the sanction of the Commissioner of the Division. Transfers from one division to another will be sanctioned by the Board of Revenue. The Sub-Divisional Officers are also empowered to transfer a Patwari from one circle to another in the same Tehsil or to another Tehsil in their Sub-Division on sufficient grounds.

(ii) Transfers of Patwaris should not be made unless the officer has satisfied himself that such transfers are necessary in the interest of efficiency of work or to fill up a vacancy created by long leave, resignation, dismissal, suspension or transfer of a Patwari. The Patwari going on transfer shall have to complete all his record and clear all his work in arrear before handing over charge to his successor. The Tehsildar may with the approval of the Sub-Divisional Officer, get the incomplete record completed by employing extra staff and paying such staff by deducting the required amount from the salary of the negligent Patwari. The unsatisfactory work or conduct of a Patwari should not be a ground for his transfer but for penal action.

10 *Leave* :—(a) Privilege leave and other kinds of leave up to one month, where no substitute is required, will be granted by the Tehsildar who shall make temporary arrangement of the Patwari's duties to be performed by Patwaris of the adjoining circles. Privilege and other kinds of leave over one month, when no substitute is required, will be granted by the sub-Divisional Officer but in all cases, in which appointments of substitutes are to be made, leave will be granted by the Collector.

(b) Casual leave will be granted by the Tehsildar.

(c) All applications for leave by the Patwaris should be submitted to the sanctioning authority through proper channel and the Inspector of Land Records and the Tehsildar shall be informed of the orders passed thereon.

11. *Travelling and daily allowance* :—Travelling and daily allowance to Patwaris will be regulated by rule 14, read with Appendix I to the Travelling Allowance Rules. Visits to the Tehsil headquarters on duty, including attendance at Tehsil headquarters in accordance with paragraph 23, will be treated as travelling beyond jurisdiction under a proper authority within the meaning of rule 14 of the Travelling Allowance Rules.

12. *Obligation of residence* :—(i) A Patwari shall reside with his family within his circle in the village specified by the Collector to be his headquarter unless he has obtained a written permission from the collector to reside outside his circle. No Patwari shall, however, be allowed to reside at a place beyond a radius of 3 miles from the limits of his circle except under very special circumstances.

13. *Disabilities of Patwaris* :—A Patwari is forbidden—

(i) to engage in any trade or money lending;

(ii) to borrow money from any estate-holder or any tenant of his circle;

(iii) to own or cultivate any land on any tenure either personally or through any member of his family, either within his circle or outside it, unless he has obtained written permission from the Collector. Such permission will not be given unless the Collector is satisfied that it will not interfere with the discharge of his duties and that it will not afford him a chance to misuse his influence and authority as a Patwari;

(iv) to tout for any legal practitioner;

(v) to act directly or indirectly as an agent of any land-holder tenant, cultivator or any other person; and

(vi) to canvass for any candidate in any election campaign.

14. *Punishments*.—(i) An order of dismissal or removal of a Patwari can be passed by the collector, who is the appointing authority.

(ii) A Patwari may be removed dismissed—

(a) for contravention of the provisions of paragraphs 12 and 13;

(b) for incompetence, misconduct or neglect of duty;

(c) if having been required to pass the Patwar Examination, he fails to pass it completely within two years of his provisional appointment.

(iii) When a Patwari is once dismissed, he shall not be eligible for re-employment.

(iv) Before passing an order for removal or dismissal, the Collector shall, in all cases, give the Patwari an opportunity of ex-

plaining the charges which have been brought against him and showing cause against the imposition of the penalty, considered *prima facie* to be appropriate, should the charges against him be held to be proved. If the facts are denied by the Patwari, the Collector may call for such evidence as he may deem necessary.

15. *Other punishments.*—(i) A Patwari may also be punished by the Sub-Divisional Officer for misconduct or neglect of duty by stopping his grade promotion for one year or reducing his pay or reducing his position in order of seniority, up-to 3 stages. The Sub-Divisional Officers may also recover from the pay of the Patwari the whole or part of any pecuniary loss caused to Government by negligence or breach of law, rules or orders. They are also empowered to inflict the punishment of censure.

(ii) The Tehsildars are also empowered to stop the grade promotion of Patwaris for one year for neglect of duty and arrears of work. They can inflict the punishment of censure also.

16. *Procedure on arrest of a Patwari in execution of a warrant.*—Immediately on receipt of a notice that a court has issued a warrant of arrest against a Patwari, the Tehsildar or the Sub-Divisional Officer, whosoever may receive the notice, shall pass an order of his suspension and shall make temporary arrangements for the work of his circle. If the Patwari is detained for more than 6 weeks from the date of his arrest, the case should be reported to the Collector, who will pass such orders as he deems necessary in the case.

17. *Suspension*—A Patwari may be suspended by the Sub-Divisional Officer pending enquiry into charges framed against him and final decision by the Collector—

(i) for breach of obligation of residence;

(ii) for commission of any act mentioned in paragraphs 13 & 14 (ii).—Suspension pending enquiry may be treated as punishment only if the charges are found to be established. The period of suspension shall in no case exceed 6 months; the enquiries shall be finished and decision shall be given as early as possible.

18 *Transfer of Charge.*—(i) Before the resignation of a Patwari is accepted, or his transfer is ordered, he shall make over all the papers, records (complete up-to-date), instruments and other articles to the Inspector or to such other person as the Inspector may depute for the purpose. Two charge-lists shall be framed and attested by the Inspector, one on the Patwari's diary and another on a separate paper to be forwarded to the Tehsildar.

(ii) When it is proposed to remove or dismiss a Patwari he shall first be suspended and shall make over such papers, records and instruments to the Inspector or to such person as the Inspector may depute, within one week of receipt of the order. In either case the

Inspector shall be responsible for seeing that the Patwari has handed over all the records, instruments and other articles in his charge.

19.—Appeals will be regulated by the provisions of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1950.

20. *Pension*.—This will be regulated by the rules prescribed in the Rajasthan Civil Service Rules, 1951.

21 (i) *Powers of Settlement officers*.—While a local area is under survey or record operations or under Settlement, Patwaris of such area shall be placed by the Collector at the disposal of the Additional Land Records Officer or the Settlement Officer, as the case may be, for so long as may be necessary and while employed in Survey and Record operations or in work connected with Settlement, the Patwaris shall be subject to the order of the Additional Land Records Officer or the Settlement Officer, as the case may be, who shall exercise in regard to them the following powers of punishment for misconduct or neglect of duty:—

- (a) to order the stopping of grade promotion for one year or reducing pay or reducing position in order of seniority upto 3 stages, or recovering from salary the loss caused to Government by negligence or breach of law, rules or orders;
- (b) to order removal or dismissal for serious misconduct in the discharge of duties directly connected with the Settlement and revision of Records;

(ii) The Additional Land Records Officer or the Settlement Officer shall have the powers to suspend a Patwari—

- (a) pending enquiry made against him; or
- (b) on receipt of a notice that a court has issued a warrant of arrest against him;
- (c) Subject to the sanction of the Settlement Officer or the Land Records Officer, as the case may be, an Assistant Settlement Officer or an Assistant Land Records Officer may exercise all powers, mentioned above, except the powers of removal or dismissal under (i) (b). (Vide R. D. notification No. F. 9 (69) Rev.-B/57, dated 11th September, 1957)*

*No F. 9 (69)Rev. B/57.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 26 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No. 15 of 1956), the State Government does hereby confer on the Additional Land Records officers appointed under section 108 and the Settlement Officers appointed under section 145 of the Act the powers of a Collector to appoint Patwaris under section 31 in the district or other local area under survey or record or settlement operations as the case may be.

CHAPTER III.

Duties of Patwari.

Notes.

Section 31 of the Act requires the appointment of Patwari for each Patwar Circle for the maintenance and correction of the Annual Registers and Records under the Chapter VII of the Act. Section 31 read with section 35 of the Act authorises the State Government to prescribe other duties for the Patwaris and frame rules for regulating all the duties required to be performed by the Patwaris. The rules in this Chapter prescribe and regulate these duties.

22. *General*.—No Patwari shall be employed on any other work at the cost of his legitimate duties mentioned in these Rules.

23. *Attendance at Tehsil*.—(a) The Patwari shall attend the Tehsil every month, on a date which will be fixed by the Tehsildar. On the occasion of attendance he will receive his salary which may be due and will make such reports as are required under these rules. In case of a circle very far from the Tehsil headquarter, the Collector may dispense with the attendance of the Patwari in Tehsil and order the disbursement of his salary at a sub-Tehsil if close by, or by remittance through Money order, the postal commission being charged in contingent bills. The usual reports and returns will be submitted by the Patwari by post.

(b) The Collector may suspend the operation of this paragraph during the periods fixed for field inspections or other times when the Patwaris are required to be busy in the villages, but the suspension shall not extend to more than a month.

NOTE:—(i) A Patwari shall not, generally, be called during the period of field inspection and of preparing demand papers.

(ii) A Patwari shall also not be called too often to the Tehsil to attend to the case work. The cases, in which Patwari's attendance is necessary, will usually be kept for hearing on the date which is prescribed for his attendance in the Tehsil.

24. (a) On the occasion of the attendance of the Patwari at the Tehsil, he will be required to report in writing to the Office Qanungo—

(i) deaths of, or charges in possession among, estate-holders, *e.g.*, Jagirdars, Muafidars, Istamrardars, Zamindars and Biswedars, which involve a change in the Jamabandi or Khewat as well as the names of their successors or persons coming into possession;

(ii) deaths of Lambardars;

(iii) encroachment of Nazool land or on any waste land; forest or irrigation work belonging to the Government or on any public way;

(iv) encroachment on Khalsa lands by Jagirdars, Muafidars, Istamrardars, Zamindars or Biswedars and encroachment on lands of Rajasthan territory by Pakistan or by any other State of India, a report in latter case being submitted as soon as the fact comes to the notice of the Patwari;

(v) destruction or disappearance of boundary pillars or marks on Indo-Pakistan border or any other State of India;

(vi) emigration or settlement of tenants or estate-holders;

(vii) progress of work regarding preparation and maintenance of record and collection of revenue;

(viii) all cases in which he is required to submit a report to the Tehsildar after enquiry and site-inspection;

(ix) all cases of removal of green trees by Jagirdars and Muafidars, etc.

(b) The Patwari shall record the work done in the Tehsil in his diary and obtain the Office Qanungo's signature to the entry.

25. *Reports of Calamities.*—The duty of the Patwari in connection with calamities breaking out in his circle are:—

(a) Immediately on the appearance of any calamity, viz. hail, locust, frost, floods, serious damage by fire to houses, crops or other property, and epidemic diseases among men and cattle, including abnormally serious outbreak of seasonal fever, to submit a report of the same to the Office Qanungo personally in form No. P-8, to be supplied from the Tehsil, or by post, if he lives at a distance of more than 5 miles from the Tehsil Headquarters;

NOTE:—In the event of any calamity, the Patwari shall also specifically mention in the remarks column (Form P-8) the extent of the damage caused by the outbreak of the calamity to human and cattle population and property and in the case of crops, the area affected as well as the extent of the damage.

(b) to inform the Inspector of the same;

(c) in the event of the disease continuing in the circle, to submit once a month a similar report which must reach the Office Qanungo on the 24th of each month, or once a week if the seriousness of the disease so demands;

(d) to submit similar reports to the nearest officer of the Public Health and Veterinary Departments regarding the outbreak and continuance of epidemic diseases in the population and cattle respectively.

26. *Reports to Inspector.*—When the circle of a Patwari is visited by the Inspector, the Patwari shall report to him:—

(i) all errors discovered in tested entries;

(ii) the permanent deterioration of agricultural land by diluvian, deposit of sand, water-logging or other causes, with approximate area and description of soils, as also all cases of alluvion;

(iii) all cases of encroachment on Nazool lands or other properties vested in the Government or Khalsa lands by estate-holders;

(iv) deaths or changes in possession among estate-holders e.g., Jagirdars, Muafidars, Istamrardars, Biswedars or Zamindars, by which a change in the Jamabandi or Khewat may be required as well as the names of their successors or persons coming into possession;

Changes in possession of lands, held as Khudkasht by estate-olders;

(vi) all cases of surrender and abandonment of holdings ;

(vii) any change in the character of uncultivated land;

(viii) destruction or decay of survey or boundary marks requiring renewal or repairs;

(ix) all cases of merger, division of holdings under the Rajasthan Tenancy Act and infringement of the condition under which any grant or lease of land is held from the Government; and

(x) any unusual occurrence that has taken place in his circle since the Inspector's previous visit and also the matters which he has reported to the Office Qanungo either at his last visit to the Tehsil or by a message;

(xi) about natural produce, e.g., Pala, grass, fallen dried trees, etc. on unoccupied Government land for sale;

(xii) disposal of any unclaimed property.

27. *Papers to be maintained by the Patwari.*—The Patwari shall prepare and maintain such maps, records, registers, statements and returns of each village in his circle as are prescribed in these Rules and shall dispose them of in the manner indicated in paragraph 48. He shall also maintain a register of such records in Form P-37.

28. *Inspections & extracts of Records.*—(a) The Patwari shall allow anyone interested to inspect his records, and to take notes of the same in pencil in his own presence without any fee.

(b) The Patwari shall give to any applicant certified extracts from his records except the Settlement records. These certified extracts shall be given on the printed forms prescribed for each kind of record. On every certified extract supplied, the Patwari shall write the words "True copy" and affix his signature with designation. He shall also enter on the extract the date of application for the extract, the date of preparation thereof, and the date of handing over to the applicant. The charges payable for the certified extract copies of the Patwari's record shall be as follows :—

Name of Record	Fee
1. Jamabandi	52 Naye Paise for every entry 50 Khasra Nos. or less.
2. Khasra and Siyaha	8 Naye Paise for every entry subject to a minimum of 24 Naye Paise.
3. Diary	24 Naye Paise for each entry made on one subject on any one date.
4. Shajra Nasab	24 Naye Paise for every 25 words or under.
5. Trace	8 Naye Paise for each field upto 100 numbers and 2 Naye Paise per number above 100 Nos. subject to a minimum of 24 Naye Paise (Cost of tracing

cloth will be in addition to the above fee.)

The copying fee for the records which are not specifically mentioned above will be charged at the same rate as for the Khasra. Out of the fees realised by him, the Patwari shall credit one-fourth to the Government as cost of the printed form and keep three fourths as copying charges.

NOTE—The copying work will be done by the Patwari in his spare time and it will not be an excuse for him to allow his regular duties to suffer on this account.

Provided that no copying fee shall be charged from a tenant for the supply of certified copy of entries in the Jamabandi (Khewat Khatauni), if the same is required by him in connection with the formation of a co-operative society.

(c) The Patwari shall allow any official of any Government department to inspect his record in his own presence and, if he so desires, to take copies of the relevant records therefrom, provided these are required for official purposes.

(d) The Patwari shall enter in his diary a note of such inspections and extracts. The amount of the fee realised by the Patwari will be noted by him on the extracts issued as well as in his Diary. The account of fees realised by Patwaris should be kept in a register in Form P-35.

(e) If the Patwari refuses to give or neglects to give the required extracts, an application may be made to the Tehsildar who will order compliance.

29. *Duplicate Records.*—A Patwari shall not be called upon to prepare additional copies of his annual records other than those permitted in these Rules except when he is specially ordered by the Collector but such orders should never be passed without the previous sanction of the Commissioner of the Division.

30. *Custody of Settlement Records.*—The Patwari shall be responsible for the safe custody and good condition of all copies of Settlement records entrusted to him and any paper which he may be required under these rules to keep or which may be made over to his charge by any official. On receipt of a revised set of Settlement records the Patwari will make over the old ones to the Office Qanungo.

31. *Alterations in Records.*—Patwaris are prohibited from erasing any entry in any record. Erroneous entry, when scored out, should be initialled by the person scoring it. Corrections and alterations made by the Office Qanungo, Inspector or any other officer, shall be entered by the Patwari on the same day in his Diary.

32. *Closing of Records.*—(a) The Patwari shall sign and date each record prepared by him as soon as it is complete, After having signed, he shall not alter any entry and make any fresh entry but he shall note below his signature any mistake or omission which he may detect.

(b) Patwaris are prohibited from altering any entry which has been checked by the Inspector. If a Patwari finds that a tested entry is erroneous, he shall report the matter to the Inspector at his next visit. The Inspector shall ascertain the correct entry and shall have it made under his own signature, if the record has not been closed and signed. But if the record has been closed and signed he shall have the mistake noted at the end under his signature.

33. *Survey Instruments.*—Every Patwari shall be provided with a chain with 10 iron pins, a brass scale of 6 inches, a pair of compasses, a Gattha measure of bamboos with iron ends, a pair of half Gattha measures of bar iron (about one-third inch square) with hollow bamboos for safe keeping, offset piece of two inches, a cross staff (in plain areas surveyed by the square system) or an optical square and an area comb. He shall maintain a stock register of survey instruments in Form P-36. He shall keep the instruments in good condition and shall report if they are spoiled and get them replaced from the Tehsil. If any instrument is lost by the Patwari, he shall have to pay its price.

34. *Survey and Reports.*—(i) The Patwari shall make any survey, field inspection, record of crops' inspection, revision of maps or reports relating to revenue or rent or circumstances of cultivation which he may be ordered to make through the Inspector or the Office Qanungo.

(ii) The Patwari shall make enquiry and report on matters referred to him by the Inspector, Tehsildar or Sub-Divisional Officer. Orders to Inspectors or Patwaris for local enquiry and report, passed on applications, unless, they are urgent, should invariably state that the enquiry should be made at the next visit to the village. It will save the Patwari from a journey to a particular village to the neglect of the work he is engaged upon, for something which could well wait over for some one who did not or will not attend at the time of the Girdawari.

35. *Revenue and Rent Collection.*—The Patwari shall be responsible for preparing all such records as are prescribed for the collection of rent or revenue and he shall help the Lambardar to make the collections. The Patwari must not himself receive payments but he shall issue receipt of the collections made by the Lambardar under the latter's signature and prepare the form of Arz-Irsal (Form P-34) in triplicate and hand it over to the Lambardar and see that the amount collected is deposited in the Tehsil in time. One copy of Arz-Irsal, after receipt from the Tehsil, should be collected by the Patwari from the Lambardar and filed with the Siyaha (Form P-32). The Patwari should see that the Lambardar returns the Arz-Irsal within a reasonable time. The Patwari shall also compare the Siyaha entries with the registers

maintained in the Tehsil and take the signature of the Revenue Accountant on his Siyaha when he visits the Tehsil headquarter.

36. *Collection of irrigation charges for Tanks other than those which are under Irrigation Department.*—In all such cases where tanks are not under the Irrigation Department and irrigation charges are realised in addition to the rent payable to the Government, the Patwari shall measure the area irrigated and prepare a Khasra and Jambandi for such areas and shall also arrange to collect the irrigation charges in the same manner as Land Revenue.

37. *Taccavi Records.*—While any work is in progress for which a Taccavi loan has been taken, the Patwari shall submit through the Inspector a quarterly report as to the appropriate use of the Taccavi and the progress of the work.

38. *Famine Operations.*—(i) The Patwari shall report in time if there is any danger of famine or scarcity in any locality with specific reason showing the area likely to be affected, the condition of the crop, fodder and cattle, and suggestions about the kind of relief measures which may be taken up in his circle.

(ii) When a district has come under the operations of the Famine Code, the Patwari shall report regularly on the movement of human population and cattle for food and fodder, and he shall also fill up the daily labour returns of village works (aided or unaided) if required to do so by the Inspector or the Tehsildar.

39. *Procurement.*—The Patwari shall supply all necessary information from his records regarding the produce estimate and crops and shall help in the work in accordance with Government orders received from time to time, but he shall not be asked to maintain the account or look after the stores.

40. *General.*—Subject to the conditions laid down in para 22, the Patwari shall carry out any other duty specially ordered by the Government, the Board of Revenue, the Commissioner of the Division or the Collector of the District or the Assistant Collector incharge of the Sub-Division.

Duties in other Departments.

41. *Irrigation Department.*—At the time of the final measurement in the village by a Canal Amin, the Patwari is required—

- (i) to be present in the village during the completion of the measurement ;
- (ii) to furnish the Canal Amin with names of estate-holders etc, which the Amin may require to complete his record and to settle any doubtful point by a joint local enquiry ;
- (iii) to take an abstract of the Amin's Jamabandi immediately after its completion and to sign in return the Khasra prepared by the Amin ;
- (iv) to keep the extracts of the Jamabandi at all times accessible to any person who pays the irrigation fees; and

(v) to help the Irrigation Department officials whenever required to do so.

42 *Public Health and Veterinary Department.*—(i) As soon as the first case or suspected case of an outbreak of cholera or plague or any other epidemic occurs in a village, the Patwari should submit a report immediately by special messenger to the Medical Officer of the nearest Dispensary and another report to the Tehsildar who will forward as quickly as possible copies thereof to the District Medical Officer. The report will be in Form P 9.

(ii) It will be the duty of the Patwari and the Lambardar to render help to the Medical Officer in the preventive and curative measures, particularly, in persuading people in coming forward for inoculations.

(iii) The Patwari, on receiving the information of outbreak of Cholera, shall at once proceed to the place and ascertain the number of people infected and the number of wells to be perman-ganated in the village area and shall report the outbreak of Cholera to the Medical Officer of the nearest Dispensary and send another report to the Tehsildar.

(iv) Immediately on the outbreak of disease in the live-stock in his circle, *e. g.*, Rinderpest, Anthrax, Haemorrhagic Septicaemia and Black Quarter, the Patwari shall communicate all particulars as required in Form No. P-10 to the nearest Veterinary Assistant direct and send a copy of the report to the Tehsildar.

(v) The Patwari shall also send information regarding live-stock mortality to the Veterinary Assistant of the area every fortnight on the 1st and 15th of every month in Form P-11. It will be the duty of the Lambardars to report to the Patwari any outbreak of epidemic diseases among live-stock and also to report the deaths among live stock.

(vi) Every month the Patwari shall also submit to the Sub-Divisional Officer on every 1st day of the month a report in Form P-11, regarding epidemic diseases among cattle which might have prevailed during the preceding month.

(vii) In tracts under settlement or revision of record operations, the Patwari, when leaving his circle for any considerable time in connection with settlement or record work, shall hand over all the warning post cards and letters in his charge to the village Lambardars of his circle, whose duty it will be to send reports of all outbreaks of cattle disease to the Veterinary Department in the absence of the Patwari from his circle. The Patwari should obtain the signatures of the Lambardars in his diary in token of their receipt. He should take back the unused post-cards and letters from the Lambardars when he is relieved from settlement or record work and returns to his circle and note this fact also in his diary.

43. *Agriculture Department.*—(i) When the Agriculture Department so directs through the Collector, the Patwari shall help

in the distribution of seed, conservation and preparation of manure and distribution of leaflets regarding the "Grow More Campaign." He shall also supply necessary information regarding agricultural statistics from his record.

(ii) Twice a year in the month of January and July, when the Patwari attends the Tehsil to receive his pay, he will inform the Office Qanungo as to how the stud bulls, if any, in his circle, are kept. He will also supply such other information about the bulls as is needed by the Tehsildar for the compilation of the half-yearly return on the condition of stud bulls.

(iii) When an agricultural demonstration is expected in any circle, the Patwari shall bring the fact to the notice of the residents of his circle with whom he may come in contact in the course of his official duties or when he otherwise visits any village, and encourage them to attend.

(iv) Calamities affecting crops, including invasions and damage caused by pests, *viz.*, locusts, grasshopper pest, rust, etc., should be reported by the Patwari immediately on outbreak to the Tehsildar, who shall inform the nearest officer of the Agriculture Department.

(v) The Patwari shall also help the officers of the Agriculture Department in selecting suitable plots for crop experiments in any village or villages of his circle, if they so desire. He will also help in keeping a watch over the produce of the plots so selected during the course of cutting, drying, threshing and weighing the produce.

44. *Despatch of Reports.*—The Patwari shall record in his diary a brief note regarding the gist and the date of despatch of the reports mentioned in paragraphs 26, 42 and 43.

45. *Legis' lative Department* —(i) Patwaris shall carry out the instructions of the Census and Election Departments, when the work of census or election is in progress in his circle.

(ii) The Patwaris concerned should be present at the polling stations and should be readily available to identify each voter when he comes to record the vote. They must attend at the polling stations on the dates fixed for voting and they must, under the instructions of the Presiding Officer, remain close to the polling booth, so that they may be immediately available when required to identify voters.

46. *Police Department.*—On the requisition of a Police Officer, investigating a case of murder, riot or other such violent crime, the Patwari shall supply a tracing from the village map showing the locality in which the crime was committed. The trace shall not be signed by the Patwari. The duty of verifying it rests with the Police Officer making the investigation.

47. The Patwari shall also carry out the orders of the Exoise, Co-operative, Court of Wards and Forest Departments received from the Tehsil, provided that the Patwari shall not be asked to carry out such work which may disturb his normal duties.

CHAPTER IV.

Preparation of quadrennial and Annual Records.

Notes.

The duties regarding maintenance and Correction of the Annual Registers and Records under Chapter VII of the Act are to be performed by the Patwaris as required under section 31 of the Act. The annual registers are required to be maintained under section 132 of the Act which reads as under—

(1) The Land Records Officer shall maintain the record of rights and for that purpose shall, annually or at such longer intervals as the State Government may prescribe, cause to be prepared a set or an amended set, as the case may be, of the registers enumerated in sections 114 and 120 and the registers so prepared shall be called the annual registers.

(2) The Land Records Officer shall cause to be recorded in the annual registers in the prescribed manner, all changes that may take place and any transaction that may affect any of the rights or interests recorded.

Section. 131—provides for the maintenance of map and field book.

The State Government is required to prescribe the manner in which such registers shall be maintained. The primary duty of maintaining such registers rests with the Patwari. The rules contained in this chapter provide and prescribe the nature of these registers, the manner in which the same shall be maintained, the procedure for Correction of entries thereto and other incidental matters. These rules further provide for detailed instructions on these matters for the Patwari Charged with the duty of maintenance and Correction of Annual Registers and Records.

48. The Patwari shall prepare and maintain the map, records, registers and statements for each village in his circle, shown in the following list, and shall dispose them of in the manner shown in the last column. Blank forms will be supplied to him by the Office Qanungo. When a general revision of record is made in a tract, as a preliminary to a settlement, the Patwari shall not be required to prepare annual record of the year following that for which revised records are prepared under the supervision of the Land Records Officer (particularly of the area under settlement) if the Collector, after consulting the Settlement Officer, is of opinion that the annual record cannot be prepared effectively, without detriment to the record or settlement operations. In no cases, however, shall the Patwari be excused from the preparation of annual records for more than one year after the record is revised by the Land Records Officer.

Registers and Statements of Patwaris.

No	Name in vernacular	Description	Method of disposal
1	2	3	4
1	Nirdesh Panjika. P-5.	Order Book (This is a standing circulars and orders' book concerning the Patwaris.)	Retained permanently,
2	Ghatna Bahi Halqa Patwari. P-4.	Diary of events	Filed with Office Qanungo by 31st October after one year.
3	Dincharya Bahi Patwari. P-2.	Daily diary of Patwari's work.	do—

4	Masik Saransh Dincharya Bahi Patwari. P-3.	Monthly abstract of daily diary of work (to examine his progress).	—do—
5	Register Paidayash.	Register of births	—do—
6	Register Fauti	Register of deaths	—do—
7	Manchitra	Map.	Retained permanently from one revision of re- cords to another and filed with O. Q. after a revised map is supplied to the Patwari.
8	Khasra Girdawari Chaturvarshiya. P-13.	Field Book	Filed with O. Q. by 31st October, after one year of completion.
9	Khasra Parivartanshil, Jama Nardbaran tathan AsthaiKrishi. P-14.	Field book showing details of cultivation of a tem- porary nature or under fluctuating assessment.	Filed with O. Q. by 31st October each year.
10	Sima Dyotak tatha Bhumpa Samaban- dhi Chinahon ki Suchi. P-15.	List of Boundary and Survey Marks.	Attached to Khasra Girdawari and filed with it.
11	Pashu tatha Yantron ki Panch-Varshik Suchi. P-12.	Census register of live- stock, poultry and agri- cultural machinery and implements etc.	Filed with Office Qanungo on 31st Oct., after 5 year.
12.	Bahikhata Jins. P-20	Grain-Rent Ledger	Filed with Office Qanungo by 31st Oct., each year.
13	Jinswar Sialu. P-16.	Statement of crops sown in Kharif.	Filed with Inspector by 5th November.
14	Jinswar Unhalu. P-17.	Statement of crops sown in Rabi.	Filed with Inspector by 20th March.
15	Jinswar Vishesh Unhalu. P-18.	Statement of crops sown in Extra Rabi.	Filed with Inspector by 20th May.
16	Jamabandi Parivart- anshil. P-25.	Jamabandi for fluctuating assessment and tempor- ary cultivation.	Filed with Office Qanungo by 31st Oct., each year.
17	Dhal Banchh. P-30	Register showing the de- mand due on each payee with details of collections and arrears.	Filed with Office Qanungo by 31st Oct., after one year.
18	Mang Patra. P-31	Slip of Revenue Demand payable by each estate- holder or tenant.	Filed with Office Qanungo by 31st Oct. after one year.
19	Siyaha. P-32	Cash Book	—do—
20	Rasid Bahi. P-33	Receipt Book	—do—
21	Arz-Irsal, P-34	Challan for remitting cash to Tehsil Sub-Treasury.	Filed with Office Qanungo by 31st October, after one year along with Siya- ha.
22	Register Naqal va Nirikashan Patwar Records, P-35.	Register in which the fee realised for giving the copies of extracts from the record is entered,	To be kept with Patwari till the next Settlement and then filed with Office Qanungo.

23	Register Intqal. P-21	Register of Mutations (A register for the entry of every acquisition of any right or interest in the land as estate-holder or tenant).	—do—
24	Register Band Sawalat. P-22.	Interrogatories	To be kept with the Mutation concerned after compliance.
25	Varshik Intqal fees ka Mang Patra. P-23.	Statement of fees realised from the persons concerned in the entries of mutations in an year (1st October to 30th September).	To be given to the Inspector of L. R. on 15th June, each year.
26	Milan Khasra. P-19	The annual area statement.	Filed with Inspector by 15th June every year.
27	Apatti Report. P-8	Report of epidemic agricultural and other calamities.	Filed with O. Q. and the Inspector when the commencement of any calamity is known.
28	Vishuchika, plague Ityadi ki Report. P-9.	Report of epidemic diseases among human beings.	Filed with O. Q. and the Inspector when the outbreak of epidemic diseases like cholera plague, etc, is know.
29	Report Babat Bimari Maveshjan. P-10	Report of disease of any kind prevailing among live-stock.	Filed with O. Q. and the Inspector when the outbreak of any disease among live-stock is known.
30	Pakhshik Report Babat Bimari Maveshjan, P-11.	Fortnightly report when diseases among the live-stock continue.	Filed fortnightly with the Inspector and the Office Qanungo.
31	Vanishawali Vriksh. P-24.	Genealogical tree of estate holders.	Filed with office Qanungo along with Jamabandi.
32	Jamabandi (Khewat Khatauni) P-26. (Parat Patwar).	Register showing the land held by each estate-holder and tenant and the land revenue and rents payable by them.	Filed with O.Q. by 31st October after every 4 years of completion.
33	Ashudhi Suchi Pata. P-27.	Register of errors and omissions in the record of rights,	Filed with the O. Q. along with the Jamabandi, Parat Sarkar, by 30th September every 4th year.
34	Antim Pramanikaran Jamabandi.	Certificate given by the Revenue Officer of completion of Jamabandi.	Filed with the Jamabandi (Parat Sarkar) —do—
35	Koop Manchitra P-29.	Register of wells.	
36	Stock Register. P-36.	A list of survey instruments, furniture etc. in the charge of a Patwari.	To be kept with the Patwari till it is filled.
37	Patwar-Patra Register, P-37.	A list of a records in the custody of a Patwari.	—do—

49. *Order Book*.—(i) The order book is a permanent register for the entry of all orders or instructions relating to rules of practice of permanent character which the Qanungo may communicate to the Patwari. If the entry is made by the Office Qanungo, it shall be in Hindi.

(ii) Every Patwari while attending the Tehsil will bring with him the Order Book (Form P-5) in which the Office Qanungo will dictate all necessary orders and circulars and will sign at the end of each such order and circular.

(iii) The order Book shall consist of not more than 50 pages and shall be permanently retained by the Patwaris.

50. *To diary (Roznamcha)*.—(i) A Patwari shall keep two diaries (i) Diary of events and (ii) Diary of progress of work.

51. *Nature of Diary of Events*.—(i) A Diary of Events is the register in which all occurrences, relating to the duties of a Patwari, in his circle, are to be entered day by day. Every Patwari will keep one Diary for his circle.

Arrangements.—(ii) The Diary of Events of a Patwari shall contain 100 pages of the prescribed form (Form P-4). It will be supplied in book form and one volume may be given to each Patwari or additional Patwari. More than one volume should on no account be issued to a Patwari except under an order of the Tehsildar, who will write in his own hand on the first page of the supplementary diary (this will generally contain only 20 pages) ("Supplementary volume supplied to... ..Patwari of.....circle ondate"), stating reasons for his so doing. The diary of each year shall commence on 1st October and shall close on 30th September. It shall be made over to the Office Qanungo by 31st October in the year following that to which it relates. Each page of the diary shall be numbered and stamped with the Tehsil seal before being issued to the Patwari, who, when he receives it, shall see that there are full 100 pages and in the case of supplementary volumes 20 pages. A certificate verifying the number of pages contained in the diary shall be written by the Office Qanungo on the first page of each book.

(iii) The Patwari must invariably prefix to each entry a separate serial number in large and clear figures. Each entry shall be closed by an asterisk, and no blank lines shall be left between two consecutive entries.

(iv) The following occurrences must be noted in the diary on the day on which they come to the Patwari's notice, the manner in which they came to his knowledge being stated, and the signature or seal of one of the village Lambardars concerned being added at the end of the entry, if possible:—

(1) the visit of any revenue officer to his circle;

(2) the facts of attendance in any court or upon any official, the cause of attendance and the name and designation of the court and official (this entry should be attested by the court or official);

(3) death of or, change in possession among, estate-holders, e.g., Jagirdars Muafidars, Istamrardars, Zamindars and Biswedars, Khatedar tenants and tenants holding at concessional rates of rent which involves a change in the Khewat or Jamabandi as well as the names of their successors or persons coming in possession ;

(4) the receipt of any order or instructions from an official superior, other than those entered in the Order Book;

(5) all mortgages, sales or other transfers and leases;

(6) deaths of Khatedar tenants, Lambardars with dates as well as the names of their successors;

(7) the execution of leases, sub-leases or agreements for cultivation;

(8) any enhancement or abatement of rent or registered agreement therefor;

(9) the surrender of any holding;

(10) all cases of extinction of tenancies as contemplated by section 63 of the Rajasthan Tenancy Act, 1955;

(11) all cases of division of holdings under the Rajasthan Tenancy Act;

(12) all cases of disputed successions;

(13) all changes done by the Patwari in the recorded entries at the time of or after the Girdawari, in cultivating occupancies and rents;

(14) all cases of extension of groves or gardens exempted from the payment of land revenue;

(15) the ejections, abandonments or settling of cultivators;

(16) any change in the character of any uncultivated land, particularly groves;

(17) infringement of the conditions under which any grant or lease of land is held from the Government and the transfers in respect of such grant or lease;

(18) destruction or decay of any survey or boundary marks requiring renewal or repairs;

(19) execution of orders;

(20) the issue of any notice by a revenue court or official;

(21) any proceedings regarding attachment of standing crops;

(22) any advances made for agricultural purposes (T'accavi);

(23) calamities such as hail-storms, locusts, floods, frost, cattle disease or epidemics, outbreak of fire etc.;

(24) all cases of encroachment of Nazool or other property vested in the Government;

(25) all cases of alluvion or diluvian with approximate areas and description of soils affected;

(26) inspection of records and issue of extracts under paragraph 28;

(27) brief summary of reports by the Patwari to the Inspector and the Office Qanungo;

(28) rainfall, with description of the duration of rain, its condition and influence on crops;

(29) condition of crops;

(30) the dates on which canals began or ceased to run, and on which there was any marked change in the supply of canal water;

(31) any alienation or resumption of revenue by Government and suspensions and remissions of revenue and any alteration in the rate of cesses;

(32) payments of revenue to Government or Government assignees ;

(33) any fact relating to the land or its revenue or rent specially reported to the Patwari by a person interested therein with a request that it be entered in his diary or which the Patwari may think of importance;

(34) any case of rick-burning and when it is suspected that the crime is due to incendiarism, this should be specified;

(35) any unusual occurrence.

52. *Condition of Crops.*—The Patwari shall, at the close of each month, enter in his Diary of Events the general condition of crops in each village of his circle, stating whether they are good or injured by deficient or excessive rain, frost, blight, insects etc., which information he shall obtain by careful inquiry from the cultivators and from personal inspection.

53. *Signature of Inspector.*—When the Patwari makes any report to the Inspector he shall obtain in his Diary of Events the signature of the Inspector to the entry of the case reported.

54. *Entry of Instructions.*—The Patwari shall obtain from the Inspector an entry in his Diary of Events of all such simple orders and instructions having temporary effect as the Inspector may communicate to him or shall write them in his presence and obtain his signature thereto.

55. *Nature of Diary of work.*—(i) The Diary of Work is the register in which all work done by the Patwari is to be entered day by day. The Patwari shall keep one diary for his circle.

Arrangement.(ii) The Diary of Work of a Patwari shall contain 24 pages of the prescribed form (Form P-2); 12 blank leaves will also be appended to this diary for recording the inspection notes by the Inspector and other inspecting officers. It will be supplied in book form and one volume may be given to each Patwari or Additional Patwari. Each page of the diary shall be numbered and stamped with the Tehsil seal before being issued to the Patwari, who, when he receives it, shall see that there are full 24 pages and 12 blank leaves. A certificate verifying the number of pages contained in the diary shall be written by the Office Qanungo on the first page of each book. The diary of each year shall commence on 1st October, and shall close on 30th September. It will be made over to the Office Qanungo by 31st October, in the

year following that to which it relates. The Patwari will, however keep the portion containing the inspection notes with him and stick them with the new diary so that he may be able to make the corrections and carry out the instructions. The portion will be handed over to the Office Qanungo on 31st October, of the next following year.

(iii) The following entries will be made in the diary of work:—

(1) the official duties which the Patwari has performed each day and explanations of failure to perform the same;

(2) the absence from the circle on leave or otherwise of the Patwari for attendance in any court or upon any official, and his return after such absence with dates;

(3) when the Patwari makes harvest inspections (Girdawari), he shall enter in his diary of work the number of fields he has inspected with details of the number he began from and ended at. He shall also enter daily the amount of work done on each kind of record on which he may be engaged;

(4) all corrections made by the Office Qanungo or the Inspector in the records.

56. *Monthly abstract of Diary of Work.*—At the end of each month, the Patwari shall prepare a monthly abstract of work done in Form P-3 and shall submit it to the Inspector of his circle by the 5th of each month and the latter shall forward the same with his remarks to the Tehsildar.

57. [Omitted]

The Map and Khasra

Notes.

The rules No. 59 to 92 describe the manner in which the map and khasra are to be maintained. Section 131 of the Act requires the maintenance of map and changes therein are to be recorded annually or at such longer intervals as the State-Govt. may prescribe. Section 132 of the Act requires the maintenance of annual registers for the purposes of recording the changes or otherwise in the Record of Rights. The rules under the above heading prescribe the form in which this annual register shall be prepared and the particulars which should be entered therein. The instructions for the preparation of the same by the Patwaris are also contained in these rules.

The rules 149, 150, 152 and 167 in these rules deal with the matters to relevant to above subject. Rules 153 to 166 provide for the preparation of Jamatandi (Khewat-Khatuni).

58. *Inspection Tours.*—(i) In order to maintain the map and Khasra prescribed in these Rules, the Patwari shall make three field inspections every year of every village in his circle. The dates

on which inspection tours shall be commenced and completed are as under:—

Name of Crop.	Date of commencement	Date of Completion.
Kharif (Shialu).	1st October.	31st October.
Rabi (Unhalu).	16th February.	15th March.
Zaid (Vishesh Unhalu).	15 April.	15th May.

Note.—The Patwari shall have to make one more inspection between the Kharif and Rabi inspections in the Ganganagar District, where Zaid Kharif is grown. This inspection will commence on 1st January and terminate on 15th January.

(ii) When, for any reason, the crop ripens later than usual, the Collector may permit the inspection tour to be postponed for a period not exceeding 15 days; and when the crop ripens earlier than usual, Collector may permit the inspection tour to be commenced 15 days earlier than the dates fixed.

(iii) The patwari shall draw up a regular programme of his inspection tours and shall send a copy thereof to the village Panchayat of the village concerned at least 3 days before the field inspection is due to start, with the request that the Sarpunch or Panch of the village panchayat may accompany him on his tour of inspection of the fields situated in the village. The Patwari shall also simultaneously inform the estate-holders, Lambardars and cultivators concerned so that they may also be present to help him in making the entries. The Surpunch or Punch accompanying the patwari on the inspection of each field in the village shall sign the day's report prepared by the Patwari. Should there be any difference of opinion about an entry between the Patwari and the Surpunch or Punch, the matter would be immediately placed before the Tehsildar who shall give his decision with the least possible delay. In the days of inspection tours, the Patwari shall continue to sum up the totals of every page of Khasra. As soon as the inspection tours of a village are complete, the Patwari shall prepare "Safewar and Jinswar" and then proceed to another village after sending the Jinswar to the inspector.

The Map

59. *Copy of Map for Correction.*—(i) The Patwari shall record all changes in the boundaries of Khasra Nos. on the trace of the village map supplied to him specially for the purpose. At the time of inspection, he shall note changes on the map in pencil and after the inspector has checked the correction, they shall be inked in red. The checking by the Inspector should be completed by the 30th April.

(iii) Along with the quadrennial Jamabandi, a trace of all the changes effected during the last four years in the map, shall be submitted to the Office Qanungo and the Sardar Qanungo, who will

get all the changes incorporated in the copy of the map of the last Settlement in their respective offices.

(iii) When the map for recording changes becomes unserviceable on being used year after year, the Patwari shall submit it to the Office Qanungo through the Inspector, for the preparation of a new map, showing the upto-date field boundaries as they exist and omitting those which have disappeared. These corrections will also be incorporated in the copy mentioned in the preceding paragraph and from that copy a fresh trace will be prepared to be supplied to the Patwari. The old map shall be filed after the Inspector and the Office Qanungo have signed the new map in token of its being checked and verified. The Patwari should himself prepare a fresh copy of the map and if he is unable to do so, he will submit it to the Office Qanungo, who will get a copy of the map prepared by some other Patwari, who knows tracing, on wages to be paid by the Patwari concerned.

60. *Correction.*—(i) All Revenue Officers are responsible for the correctness of the map used by the Patwaris whom they control.

(ii) During each inspection tour the Patwari shall compare the fields one by one with the map and shall note thereon all changes in the field boundaries and other alterations after taking necessary measurements.

(iii) If extensive survey operations are required at any time to correct the map of any village, the Patwari shall apply to the Inspector for the necessary survey instruments and for such assistance as may be required. Such application should be made not later than the 31st October in the year when the necessity arises. The Inspector should himself assist the Patwari or arrange for the assistance by another Patwari efficient in survey.

(iv) Correction in the working map will be done in the following circumstances:—

(a) When a field is found to have been divided into two or more fields, subject to the instructions given in para 62, a separate number shall be given to each field writing the original number as numerator and the fraction number as denominator; but if these fields are in the cultivatory possession of one and the same person under the same class of tenure and belong to one and the same Patti or Khata, they need not be given a separate number, the divisions being shown in this case by dotted lines only. If fields bearing fractional numbers are re-united so as to form a field as it existed at the last survey, the fractional numbers will be omitted and the original numbers will be restored;

(b) if any Khasra number held jointly has been divided among the co-sharers;

(c) changes, which are due to transactions, on account of which mutation order has been, or should be, passed, e.g., partitions, sales, mortgages with possession, exchange, gifts, redemption, etc.;

(d) Nautor cultivation or permanent occupation of any portion of an unoccupied Khasra number;

(e) change of tenure from Jagir or Muafi to Khalsa or *vice versa* of any part of any field number;

(f) construction of roads, canals, tanks, wells or houses by which any changes in the boundaries of any Khasra number are necessitated;

(g) conversion of part of a Barani filed into irrigated land when the change is of a permanent nature;

(v) In the following circumstances changes will not be done in any survey number:—

(a) cultivation by a sub-tenant or a co-sharer;

(b) cultivation of different kinds of crops on the same filed, if a filed is sub-divided temporarily for the purpose of cultivating different crops, no change will be made;

(c) in any uncultivated filed number, if any filed is ploughed but not cultivated;

(d) if in areas included in 'Abadi number' any cultivation of tobacco or other crop is done;

(e) the corrections of the map shall be completed and the alterations inked by 30th April.

61. *Titamma Shajra*.—In villages where the position of the filed boundaries, mostly in Khatli and tank beds, are liable to frequent changes, the Inspector will draw up a list of such plots and give it to the Patwari who will take necessary measurements without delay and prepare a Titamma Shajra on a map sheet of the same scale on which the map of the village has been prepared. The Inspector will check the Titamma Shajra on the spot during the cold weather before the end of January. The Titamma Shajra will be filed with Khasra for fluctuating cultivation with the Office Qanungo at the end of each year.

62. *Preparation of Filed Book of new Filed Numbers*.—(i) The Patwari will enter all the new filed for which Titamma Shajras have been prepared under the above, mentioned paragraph in a field book in the form below:—

No. of fields		No. of holding	Area calculation	Soil Class	Signature of Qanungo
Old	New				

In the filed book field will be finally re-numbered as follows:—

(ii) If a field number, say 24, has been sub-divided into two, and the last number in the field register of the village is 150, entry

No. 24 should be scored through and the new fields entered as $\frac{151}{24}$ and $\frac{152}{24}$.

(iii) Where a second sub-division takes place the denominator number should simply be the numerator of the field which is again sub-divided. Thus in the example, we should have first $\frac{151}{24}$, then

$\frac{185}{151}$ and lastly $\frac{201}{185}$, from each of which, if necessary, it would be very easy to trace back to the old number. If fields Nos. 31 and 32 have been joined into one field, the new entry may be $\frac{153}{31\&32}$ 152

being the last number in the field register. The new numbers given in the field book will be entered in red ink in the Titamma Shajras prepared under paragraph 61 above, and each entry in the field book will be initialled by the Inspector of Land Records in token of its correctness. A slip containing a copy of the entries in the field book will be given to the owner or mortgagee or, in the case of land in joint ownership, to the share-holder in occupation of the new fields.

63. *Knowledge of Patwari in Survey.*—All Patwaris must keep up their knowledge of survey. If any Patwari is reported to be deficient in that knowledge by the Inspector or any other officer not below the rank of a Tehsildar, he may be required to pass a test in the subject after being allowed such period of grace as the Collector thinks fit.

Khasra.

64. *Preparation of Khasra.*—(i) Khasra Girdawari is the record in which are entered the details of the rental and tenancy rights, agricultural statistics and the changes occurring therein within the period for which it is prescribed for each plot which is numbered on the village map.

(ii) Such a Khasra shall be prepared afresh by the Patwari for each village at the end of every 4th year in Form P-13. The changes which occur each year in the interim period shall be recorded in the columns provided separately for each year in the prescribed form.

(iii) The Khasra shall be written on the spot after field to field inspection, taking into consideration the actual facts and possession. All relevant information shall be gathered by the Patwari on the basis of elaborate inquiries made by him locally. Immediately after making entries in the Khasra, the Patwari shall give to the person in possession a Girdawari Slip on Form P-13-A.

(iv) Separate entry will be made for every plot in the Khasra, whether cultivated or uncultivated, culturable or unculturable.

(v) Entries from columns 1 to 8 will be copied from the last Jamabandi, and when the preparation of land records is newly introduced in a village, from the settlement record-of-rights or Khasra. The changes which will occur during the four years (for which the Khasra is being prepared) will be subsequently entered for each corresponding year in columns 16, 24, 32 & 40. Entries relating to the Kharif crop shall be made during the first tour, vide para 58 (i). Entries pertaining to the Rabi and Zaid crops shall be made during the 2nd and 3rd tours respectively. Entries regarding any changes relating to tenures and liabilities of estate-holders and tenants shall be made before the end of the first tour or in the case of lettings for the Rabi season, as soon as possible, thereafter. All other entries, shall be made as early as possible in the year.

(vi) Khasra entries for each year shall be completed by the 30th April. Khasra forms will be issued loose. They should be stitched together by the Patwari in volumes containing pages sufficient to meet the requirement of each village. One volume should not ordinarily comprise more than 100 pages.

The old Khasra shall be kept by the Patwari with him for one year after copying the new Khasra at the end of the 4th year, after which it will be filed in the Tehsil on or before the 1st October.

(vii) There will be a separate Khasra for each village. When there are two or more Patwaris using one map, a copy shall be supplied to each, and each shall write up a separate Khasra for the numbers assigned to him. Where in alluvial villages the alluviated portion has been numbered separately from the rest, separate Khasra will be prepared for that portion.

(viii) Occasionally "intermixed villages" are met with, that is, two or more villages, of which the lands are so intermixed that the whole area is to be included within one Hadbast. The lands however, of each village constitute a separate village and there may be more than one Patwari for such villages. In such cases each Patwari should have a copy of the whole Hadbast area, but he should maintain the Khasra only in respect of the fields belonging to his village. The Khewat, Khatauni, etc. should be confined to the lands included in each village.

The instructions which are to be followed for making entries in the Khasra are given below:—

Column 1.

65. *Field Number with name.*—The plot numbers at the last settlement shall be entered in column 1 along with the name by which each field is generally known.

66. *Division of fields.*—Ordinarily not more than 10 field numbers should be entered in each page of the Khasra, and entries for each plot should be separated by drawing a line across the columns.

When a field is divided into more than one part by boundary lines, a separate entry shall be made for each such portion, provided it has been numbered in accordance with the instructions given in paragraph 60.

Illustration.—Field No. 50 has been divided into four parts and all the newly divided parts belong to the same Khata or Patti and the area is also in the cultivatory possession of the same person and under the same class of tenure; such divisions shall be shown only by dotted lines in red ink on the map and the Khasra entries will be made against field No. 50 only as if no division had been effected. On the contrary, if the divided parts belong to different Khatas or Pattis, the Patwari shall mark each division by drawing such number of lines on the map as are necessary and number each division as 50/1, 50/2, 50/3, 50/4. Plot number 50/1 will be entered in the first column below the last number of the Khasra and a reference shall be given to this effect in column (1) against No. 50. The area of each new number will be ascertained by the Patwari and entered in column 2. Each new number will be denominated under the last number of the Khasra as explained in para 62 above.

67. (i) Component parts of a plot partitioned theoretically but not actually on the spot shall not be entered in the Khasra separately and the whole plot should be shown as one for the purpose of making different entries.

(ii) In respect of plots which, though not physically divided on the spot, are composed of portions which fall under different classes of tenures, separate entries should be made.

(iii) If a plot bearing one number has within it embankments, sub-divisions for agricultural purposes only, the number of parts, it is thus composed of, shall be shown below the Khasra number in column 1; thus "25/15 fields" *viz.* 25 is the Khasra number and 15 is the number of parts in which it has been so divided. Such instances should generally come up in the rice cultivating Tehsils of the south or in hilly tracts where terracing is done.

68. *Union of fields.*—When more than one field belonging to the same Khata or Patti and in the cultivatory possession of one and the same tenant and held in the same class of tenure, have been united, by removal of dividing boundaries, the entries for the fields so united shall be made opposite the first number of the component fields. The area of each component field shall be shown opposite the first number in column 2 and it shall be entered in the remarks column, against each such other component field, that it has been included in No..... The number of such fields with their respective area shall also be shown in the remarks column opposite the first number. On the other hand, if a settlement plot subsequently sub-divided is again restored to its original shape, the entry will be made as if the plot had not been divided. In

case fields, belonging to different Pattis or Khatas or in the cultivatory possession of different tenants, or held under different classes of tenures by the same tenant, have been united, separate entries will be continued to be made for each such number and a note shall be given in the remarks column, to the effect that they have been united into one plot.

Illustration:—(i) Suppose field Nos. 34, 35 and 42 which belong to the same Khata or Patti, and are in the cultivatory possession of one and the same tenant and are held under the same class of tenure, are united, the Patwari should make entries pertaining to all those numbers against number 34, showing in column 2 area of each such component part and the total. Opposite Nos. 35 and 42 he should enter in the remarks column “included in No. 34”. Opposite No. 34 he should enter in the remarks column “including No. 35 (1 bigha) and 42 (5 bighas)”

(ii) Suppose plots numbers $\frac{50}{1}$, $\frac{50}{2}$, $\frac{50}{3}$ and $\frac{50}{4}$ which belong to the same Khata or Patti, and are under the cultivatory possession of the same tenant, under the same class of tenure, have been united so as to restore plot No. 50 to its original form of the time of settlement, then entry will be made as if the plot has not been divided. No reference to this effect is necessary to be made in the remarks column.

69. *Gain or loss in land by alluvion or diluvion etc.*—If more land is added to the village by way of alluvion or other reasons, the series of Khasra numbers will be extended to such an extent that fresh lands are recorded under the new numbers. In case the land is lost by way of diluvion or other reasons, this fact shall be noted in the remarks column against the numbers of the respective fields so lost. (See para 389).

Column 2.

70. *Area.*—The total area of each plot shall be entered in this column. The area will be in standard bighas or acres as prevalent in the integrating unit (the different bigha measures prevalent in the various integrating states of Rajasthan being showing in Appendix I).

Column 3.

71. *Soil Class.*—(i) In this column the soil class of each Khasra number shall be entered. If there is one class of soil, the area need not be entered, as it will correspond with the area in column 2. In case there are more than one class of soils, in the same number, each class of soil shall be entered along with the area covered by it. In this case the total of the area of different soil classes shall be equivalent to the area entered in column 2.

(ii) If a plot is unoccupied, the words “grove”, “Big-tree Forest”, “Scrub Forest”, “Grass land or Bir”, “Under water”, “hill, rock”, “occupied by buildings, roads” etc., and particulars of uncult-

turable wastes, viz., Usar, Khadda etc. shall be, as the case may be, entered in this column, below the area entry.

Column 4.

72. *No. of Jamabandi (Khewat-Khatauni) with name of Thok, Patti or Tarf.*—(i) The serial number of Khewat or estate-holder's holding and the serial number of tenant's holding, in which the plot is included in the Jamabandi, will be entered in this column as numerator and denominator respectively.

(ii) For land held as 'Khud kasht' or 'Havala' by an estate-holder, the word 'Khudkasht' or 'Havala' may be entered in place of tenure.

Column 5.

73. *Name of Jagirdar Sub-Jagirdar, Owner, etc.*—(i) The entries made in this column should be an accurate record of the estate-holders viz., Jagirdars, Muafidars, Istamarardars, Bhomias etc., or their sub-grantees, Zamindars or Biswedars, as the case may be, who hold in their possession the entire village or some portion of it or small holdings under the grant, sub-grant or Zamindari or Biswedari.

(ii) The name of the grantee will be written in the case of the entire village belonging to a single Jagirdar, Muafidar, Istamarardar etc. along with his father's name, caste and residence, and the nature of the tenure on which the grant is held. If only a few plots in the village are held in a grant, or if in a village belonging to one grantee, there are certain plots held in grant by his sub-grantees, the full name of the grantees shall be given against each particular number, as in the first instance. Similarly, if there are more than one grantees in the same village, their names shall be written separately against each Khasra number belonging to each one of them respectively.

(iii) In the case of more than one estate-holder holding the same village or part of the village jointly, the extent of the share of each such estate holder in the village shall also be shown in this column.

(iv) In Zamindari and Biswedari areas, the names of the Zamindars or Biswedars shall be written in this column showing the nature of the tenure and interest of each as laid down in sub-para (ii) and (iii) above.

(v) The names of sub-jagirdars shall also be entered in this column. But in such cases, the name of the Jagirdar shall precede the names of such sub-jagirdars.

Illustration:—Village A of Thikana B is held in sub-jagir by C. Some 'Bhai Bant' land is given by C to his brother D, again D further gives a Chakrana Muafi grant to his attendant E. In this case, the name of Thikana B shall be entered first followed by the name of C as sub-jagirdar and after him the full name of D with tenure as Shikmi Jagirdar and after him the full name of E as the Muafidar of D, shall be entered, being the 'Malik-e-hansil, az taraf D.'

Note:—(i) When there are two or more plots in a grant or Zamindari holding, the name of the grantee etc., shall be written in column 5 against the first survey number that forms part of the holding, and against each of the subsequent numbers a reference should be made of the entry made against the first number of the holding.

(ii) If there are more than one grantees and sub-grantees or proprietors in a survey number, the share of each shall be distinctly stated.

(iii) Where a Jagir, Muafi or grant of any other tenure is found to have been transferred, with the permission of the Government, the name of the grantee or sub-grantee transferring such rights shall be first entered as the transferer and the name of the person to whom such right as been thus transferred as the transferee.

(iv) In the case of Zamindari, Biswedari, Jagir and Muafi villages or lands and villages or lands held under similar grants, if the entire Zamindari or grant or parts thereof have been mortgaged as a usufructuary mortgage, the names of the mortgagees shall also be written after the names of the mortgagers.

(v) In the case of revenue-free grant, or grants held for the life-time of the grantee alone, or concessional grants by way of land revenue, the name of such grantees shall be first written followed by a brief description of the special terms and conditions of the grant.

Column 6.

74. *Tenants and Sub-Tenants.*—(i) The name of tenant or a person who holds land from the Government or from an estate-holder and who is or would be, but for a contract express or implied, liable to pay rent for his holding, would be entered in this column, along with the parentage, caste, residence and class of the tenancy.

(ii) The period for which the cultivator has been in possession shall also be entered in this column after the name, parentage, etc. If the exact period of cultivation is not known and the tenant has been in possession for a long time, the term of possession will be entered as "Qadim".

(iii) In the event of any plot being mortgaged by the tenant with another person, the period of mortgage with dates shall also be entered in this column and the name of the former (with his class of tenancy) will be entered as mortgager and will be followed by the name of the latter as mortgagee. If the mortgagee has further mortgaged the plot to a third person and so on, only the names of the mortgager and the last mortgagee shall be recorded. In case the mortgagee has given the plot for cultivation to some other cultivator, either the name of such cultivator shall be entered in red ink in this very column after the mortgagee or if the cultivator has given the land for cultivation to any other cultivator, the latter's name will be written in place of the former.

(iv) The names of cultivators of 'Shamlat' village lands shall also be recorded in this column.

(v) When a tenant stops cultivating the land of his Khata or stops getting it cultivated by some other cultivator and leaves the neighbourhood without making any arrangements for the payment of rent payable by him and does not give notice of it to the Tehsildar in writing, (vide section 60 of the Rajasthan Tenancy Act, 1955), the Patwari shall enter the word 'Mafrur' in red ink after the name of such tenant with the harvest and the year of abandonment.

(vi) If any land is in Khudkasht of an estate-holder (Jagirdar, Zamindar, Biswedat, etc.) only the word 'Khudkast' will be entered in this column. If the land is cultivated by a 'Shikmi', 'Sijari' etc., the name of the person cultivating the land with the nature of his tenure, and length of cultivation will be entered in red. If it is left uncultivated, even then the column should not be left blank and the word 'Parat Maqbuza' may be entered as the case may be.

75. The name of the sub-tenant, if any, will be entered with particulars and term of cultivation below the entry of the tenant-in-chief in this column and a horizontal line will be drawn between the two entries.

Column 7.

76. *Rent with Rate.*—(i) The rent payable by the tenants to the Government or to an estate-holder should be entered in this column. In case a consolidated rent is payable for the entire holding and not separately for each field, such rent should be entered against the first field number of the holding appearing in the Khasra and against the subsequent plots entry should be made 'Shamil number Khasra'. Where rent is realised by way of appraisement (Kunt) or actual division of produce (Batai), the cash value of such grain rents will be entered in this column according to the entry made in the Bahikhata Jins.

(ii) The sub-rent payable by the sub-tenants, viz., Shikmis, shall be entered in this column, by drawing a line under the entries made for the rent of the tenant-in-chief after careful enquiry and verification at the time of inspection.

Column 8.

77. *Sources of irrigation with method.*—(i) When a field is irrigated, the method and sources of irrigation, with the number of Khasra entry in which it is situated, should be entered in this column, e.g., "well or tank or canal or river in Khasra number "

(ii) The kinds of all sources of irrigation, whether irrigation has been done from them or not, are to be shown against the relevant Khasra number (of the well etc.) by distinctive terms as given below :—

(a) Pucca or masonry well be shown as 'Pucca'.

(b) Kham or non-masonry well be shown as 'Kacha'.

- (c) Kacha-pucca or pseudo-masonry well be shown as 'Kacha Pucca'.
- (d) Tank or Nada, be shown as "Talab or Nada" as the case may be.
- (e) Canal be shown as 'Nahar'.
- (f) When any wells or tanks are used for drinking purposes, only the word 'Abnoshi' should be entered.
- (g) In case of irrigation wells, the number of laos (ropes) or persian-wheels or lever lifts (Dhanklies) used, should also be specified.
- (h) The various kinds of Pucca and Kacha wells are defined as under :—

- (1) Pucca or masonry well is one having complete lining of stones or bricks, set in cement or mortar or mud or has been excavated through solid rock as to give the appearance of a Pucca well.
- (2) Kacha or non-masonry well is one having no lining or partial lining and which does not come under the definition of a Pucca well.
- (3) Kacha Pucca well or pseudo-masonry well is one whose "Dhana" or the upper structure is done in masonry and the rest is Kacha.

(iii) The Patwari at the time of harvest inspections shall enquire as to which wells, tanks, etc., have been used for irrigation purposes during the year and shall write the word "Challoo" when in use, and the word "Ghair Challoo", when out of use, together with any change about the kind of the well, in red ink for each harvest every year.

(iv) If a new well has been constructed and has become available for irrigation during the year, the Patwari shall write the words "Naya Kuan" in the column for changes 16, 24, 32 and 40. All entries in respect of a new well shall be made in red.

(v) If a well has collapsed or has finally gone out of use on account of the absence of water or some other similar reasons, the Patwari shall write "Kuan Toota huwa", as the case may be, in the column for changes. If an old well, which had ceased to be used for reasons noted above, is repaired and made available for irrigation, it will be recorded as repaired well or "Marammat Hoka Jar" in red, in the column for changes.

(vi) At the end of the last Gasht Girdawari, the Patwari shall sum up, at the end of appropriate columns, the total number of wells, tanks, etc. used for irrigation and shall also specify the total of each source of irrigation used or not for the purpose during the year, the totals of new and old wells and the totals of Pucca and Kacha wells being shown separately.

Columns 9-12, 17-20, 25-28, and 33-36.

78. (i) During each year the crops sown in Shialu and Unhalu shall be entered in the columns provided for each season. The name of the crop will be written in the relevant column, with the area covered by it under its name. No separate columns have been provided for the extra-Shialu and Unhalu crops and these may be entered in their respective columns in red as denominators under the principal crops.

(ii) To distinguish areas irrigated by different sources, the name of the source, *e. g.* well, canal, tank, or river, should be written after the area.

(iii) Where a field is at first irrigated by a well and subsequently by a canal, that area shall be counted as irrigated by a canal but both the sources of irrigation with methods should be shown along with the area.

(iv) If different crops occupy different portions of the same field, each crop must be entered separately against the field number and the area of each crop shall be shown separately.

(v) If two or more crops are mixed in a field, they should be entered mixed *e.g.* Gojra, Gochani, Bejar, Jowar-moong and Bajramoth. But in the case of other mixtures, the estimated area covered by each respective crop should be shown.

(vi) The names of the crops entered shall correspond with the crops shown in the crop statements (Naksha Jinswar) for the season. When a crop or crops not shown in the crop statement are sown, the name or names must be recorded in full in the Khasra as well as in the crop statement. If different kinds of vegetables have been sown in a field, the entry will be made simply as "Bari-Tarkari", Orchards and gardens will be shown as "Bagh Phaldar".

(vii) The crops of plots which are not permanently cultivated and which, though occupied, are under Ghair Mustqil assessment, such as tank beds, shall be entered in the relevant columns along with their respective area and a reference should be made in the remarks column of the number of "Ghair Mustqil Khasra" where also, the entry of such Ghair Mustqil cultivation should have been made.

79. *Crop failures.*—(i) All crops that have been sown must necessarily be recorded in the columns for crops, irrespective of the fact whether the crop has matured or not. If the crop has failed in a field or part of it, the Patwari shall enter under the area of the crop, as denominator, in red ink, the area over which the crop has failed. Such area shall be totalled in every page of the Khasra along with the area totals of each crop at the end of each Girdawari on the last page of the Khasra. The total area that has failed during the season under each crop shall also be shown.

(ii) "Crop Failure" (Bijmar) denotes not only failure of the crop to germinate or failure soon after germination but also denotes

cases where the crop is not harvested due to the extremely meagre outturn or other calamities *e. g.* floods, hail-storm, locusts, rust pest etc.

(iii) In districts Ganganagar, Alwar and Bharatpur (excluding Dholpur Sub-Division) the following instructions about the entry of the failed area shall be followed:--

(a) When a crop fails to germinate or dries up or is destroyed by calamities of season, it should be entered as "Kharaba". Very careful attention should be given to the partially failed crops, that is, crops of which the yield appears to be much below average. When the actual yield of the crop grown in one Khasra number is estimated by careful inspection to be not more than 75% of the usual or average yield, then a deduction from the whole area of the crop should be made; for example an inferior field of wheat measuring 4 bighas may be returned as wheat 3 bighas, Kharaba 1 bigha but this is to be done only when the actual yield of the whole crop is estimated to be not more than 75% of the the average, and the "Kharaba" allowed should be only as much as is necessary to raise the whole crop of the area returned as under crop to the average of an ordinary harvest.

(b) The average yield should be that adopted by the Settlement Officer at the previous settlement for the assessment circle in which the village is included, unless some other yield has been specially prescribed in the Dastoor-ulamal or elsewhere. In the absence of any such average yield being available, the revenue officials should judge for themselves what yield should be regarded as average and in doing so they may take into consideration the results of crop cutting experiments of several years. These should generally be approved by Collectors on the recommendations of the Tehsildars and Sub-Divisional Officers. Where two or more distinct crops are grown separately in different Portions of one Khasra number, Kharaba should be entered separately for each such distinct crop.

(c) Deductions of "Kharaba" made under these instructions should, unless some other local scale has been prescribed by proper authority, be entered as far as it is reasonably practicable, in accordance with the following scale, taking 16 annas as the average yield of a crop:—

Yield more than 12 annas	No deduction.
Yield more than 8 annas but not more than 12 annas	Deduct $\frac{1}{4}$ of the sown area.
Yield more than 4 annas but not more than 8 annas	Deduct $\frac{1}{2}$ of the sown area.
Yield not more than 4 annas	Deduct whole sown area.

(d) "Jowar" which fails in the year should not be entered as "Jowar-failed" but as Chari Pukhta (Poya).

(e) The actual "Bijmar" area defined in rule (ii) should be shown as denominator to the failed area and will be deducted out of the failed area.

Columns 13-14-21-22, 29-30 and 37-38.

80. *Area cropped more than once.*—These columns are provided for "Dofasli" area or area cropped more than once, both irrigated or unirrigated.

81. To obtain the double-cropped area, the area cultivated during each season *e.g.* Shialu, Unhalu and Vishesh Unhalu is added, and the area cultivated is then subtracted. The result obtained is the double-cropped area. To reckon the irrigated area under the double-cropped area, the area irrigated during each season is added and the irrigated area of the field is subtracted.

The calculation of double-cropped area should be made by keeping in view the actual situation of the double-cropped area on the spot, whether irrigated or unirrigated. The following examples would illustrate this point clearly:—

Example:—A field measuring 5 bighas is sown with maize during Kharif out of which 1 bigha is irrigated. In Rabi 3 bighas out of 5 bighas are sown with barley out of which 2 bighas are irrigated.

Thus the double-cropped area would be:—

(1) Area cultivated.	5 bighas.
(2) Area sown during Shialu.	5 bighas.
(3) Area sown during Unhalu.	3 bighas.

Total of (2) & (3)	8 bighas.
Less by area in (1)	5 bighas.
Double-cropped area.	3 bighas.

The irrigated double-cropped area would be :—

(1) Irrigated area.	2 bighas.
(2) Area irrigated during Shialu.	1 bigha.
(3) Area irrigated during Unhalu.	2 bighas.

Total of (2) & (3)	3 bighas.
Less by area in (1)	2 bighas.
Irrigated double-cropped area.	1 bigha.

Columns 15, 23, 31, and 39.

82. These Columns are meant for recording uncultivated area. The class of land to be entered in each of these should follow the classification of uncultivated or uncropped lands as given in the Milan Khasra (Area statement) together with further details and its area may be entered as denominator. This classification will be entered in pencil in Shialu and inked in Unhalu by the Patwari.

83. *Classification of Uncultivated land.*—(1) Uncultivated land is classified under two heads:—

(a) Available for cultivation.

(b) Not available for cultivation.

(2) The following kinds of land will come under the area "Available for cultivation":—

(a) *Culturable*.—Padat or fallow lands :—

- (i) Current or one year fallow;
- (ii) Two years' fallow;
- (iii) Old fallow, i.e., three or four years fallow;
- (iv) Banjar Jadid, i.e., five and six years' fallow and
- (v) Banjar, i.e., seven years' fallow or more.

(b) Groves and orchards containing fruit bearing tree and shady trees, as elaborated vide paragraph 85.

(c) Birs or grass preserves, other than permanent pastures and grazing grounds and culturable waste land, may be considered as Banjar.

84. *Unculturable*.—The following lands may be considered as 'Not available for cultivation':—

(a) Lands which have been demarcated as reserved forest area and are governed by the Forest Regulations.

(b) Rocks and hills whose slopes and tops are so rocky or steep as to render them unfit for any cultivation.

(c) All land covered by 'Khaddras on river banks, which are so broken up by floods and the flow of water that they have been rendered useless for cultivation; lands covered by well structures; all lands which are so poor that in the event of cultivation, even the cost of cultivation would not be realised; barren (Usar) lands unfit for cultivation and such lands and parts of tanks' beds as remain constantly submerged in water.

(d) All land which are covered by houses, dwellings 'Abadi compounds', streets, lanes, cremation-grounds, burial-grounds, cattle-pounds, camping-grounds (Padaos), Rudis where refuse is collected, the lands forming the embankments and 'Pals' of tanks, target shooting-grounds (Chandmari), parade grounds, roads, railways, rivers, Nallas, reservoirs, all lands which are reserved for construction of any road or railway, aerodromes, mines and quarries and lands from where earth is excavated for potteries, earthenwares and other miscellaneous purposes.

(e) Lands reserved by Government for pasturing e.g. 'Johars' or permanent pastures and other grazing grounds.

85. *Groves and Orchards*.—(i) Only those lands will be considered as groves and orchards on which the trees are of sufficient height; lands which used to be under groves and orchards but are now cleared and are under cultivation, should be entered under the columns 9-12, 17-20, 25-28, and 33-36.

(ii) In case any crop has been sown under the trees of the groves or orchards, only the words 'Grove' or 'Orchards' shall be entered in columns 15, 23, 31 and 39 as the case may be and the

area so cropped shall be entered in the relevant area columns 9-12, 17-20, 25-28 and 33-36.

86. *Change in the class of land.*—(i) If the class of any unclutivated area is to be changed from culturable to unculturable and *vice versa*, the “class of land” entry should be changed with red ink and should be got attested by the Inspector.

(ii) If the “class of land, entries have to be changed considerably in respect of cultivated areas, the changes should also be made with red ink and should be to attested by the Inspector.

87. *Changes in rights, possession, Rents etc* —(i) All changes in respect of tenancy or other rights, possession, rents, sources of irrigation etc., which occur during the subsequent four years following the last quadrennial Khasra, shall be made in columns 16, 24, 32, and 40, as the case may be.

(ii) In case no change has occurred during Kharif, the Patwari shall write down at the top in this column the words “Kharif Badstoor” and if there is no change in Rabi, the words “Rabi Badstoor” in the column as for Rabi. Entries for Zaid Rabi shall be made in red. Besides writing ‘Badstoor’ in case of no change, the Patwari shall also mark a cross in the columns concerned.

88. *Entries in the Remarks Column* —(i) If there are any valuable planted trees standing over an occupied plot, the number of the trees and the names of the owners shall be entered in the column for remarks.

(ii) The Patwari shall, at the time of each inspection tour and make entries regarding all such unoccupied lands as lie adjacent to the disputed or undemarcated boundaries of another State or any foreign State. He shall enter as to who has collected and realised the produce of such lands, the amounts levied and charged by way of “Mahsool Charai,” income from mines or quarries etc. and whose cattle have grazed over such lands. These entries shall be made against each such number in the remarks column of the Khasra. The income which may accure from such lands should also be included in the Siyaha and Jamabandi and credited to the head for Miscellanecus income.

89. *Khasra regarding fluctuating assessment and Ghair Mustaqil Kasht.*—(i) A Khasra for fluctuating assessment (Ghair Mustaqil Kasht in Form P-14) shall be prepared by the Patwari during each inspection tour along with the preparation of the Khasra, in the same order as the entries are made in the Khasra.

(ii) If a separate number has been given to the plot covering Nautor cultivation, on the village map such, number should be entered in column 2 of the Nautor Khasra and a reference to this effect should be made in columns 16, 24, 32 and 40 of the Khasra as the case may be.

(iii) In case of Ghair Mustaqil cultivation, when cultivation is of temporary nature and is shifting and not done within fixed

and well demarcated limits, the Patwari shall prepare a Titamma Shajra on the spot after measuring the four sides of the field from North to South and East to West and give a separate number to each plot so formed and attach the Titamma Shajra with the "Khasra-Nautor" and "Ghair Mustaqil Kasht" as laid down in paragraph 61.

(iv) The measurement of each plot, as carried out under (iii) shall be entered in columns 6 to 9 and the area should be calculated on their basis and entered in column 10.

90. *Class of Soil*.—Lands over which Nautor cultivation is done should be classed in accordance with the actual condition of the soil. In respect of "Ghair Mustaqil cultivation" the same instructions should be followed as are laid down for the entries pertaining to "cropped area" in the Khasra.

91. *List of Boundary and Survey Marks*.—(i) The Patwari shall verify and amend, if necessary, during each inspection tour, the list of boundary and survey marks of each village in Form P-15. In the year when a new Khasra is prepared, the Patwari shall copy out columns 1 to 3 from the list of the foregoing four years and shall enter any additional marks which have been established. During the inspection the Patwari shall visit each mark and note down the details.

(ii) In column 2, the name and the number of each mark shall be given and the particulars of the mark shall also be entered if there be any. The names of such villages as exist on either side of the boundary shall also be shown in this column as "Mark such and such on the boundaries of villages such and such".

(iii) In columns 4 to 11 the date of inspection done by the Patwari and the condition of the mark should be entered respectively. In respect of the condition of the mark, the Patwari should particularly note down the actual condition of the mark, at the time of inspection whether : it is in good condition or repairable or demands renewal. In case any mark is found missing on the spot, this fact should also be noted down in columns 5, 7, 9 and 11.

(iv) In column 12, the name of such authority or person or persons should be entered who may be responsible for the repairs and replacement of such marks.

92. On completion, the list of boundary marks shall be attached with the Khasra. If there are any marks which need to be repaired or renewed, an abstract from the list shall be prepared by the Patwari for presentation to the Inspector when he visits the circle in connection with his Kharif inspection tour. The Inspector shall after verification submit it to the Tehsildar for such orders and arrangements as may be required.

93. *Register Malshumari or Register of Livestock*.—(i) This register will be prepared on Form P-12 for each village in the circle

of a Patwari separately. All the bullocks, buffaloes, cows, poultry, agricultural implements and machinery and other cattle belonging to every man residing in the village will be entered in the same order in which their respective holdings appear in the Jamabandi. The names of those residents who possess no land and consequently have no holding in the Jamabandi will be entered after the names of the persons with holdings have been recorded. The names of such persons who settle in the village in the year following that in which the register was commenced or such persons who purchase cattle etc. afterwards and who temporarily bring cattle for grazing for a small period only will also be entered in the end. The register will be maintained for five years and sufficient space (five lines) will be left for each owner so that his belongings may be entered for each year one after the other in continuation. After five years the register will be deposited with the Office Qanungo and a new one will be opened. Village-wise abstract will be sent to the Office Qanungo on 1st October each year.

(ii) The entries in this register will commence to be made in the beginning of August and completed by the end of September so that the cattle returned after grazing or going abroad for the same purpose may not escape counting.

(iii) In such villages, where grazing dues (*e.g.* Bhunga in Bikaner, Churu and Ganganagar District) are collected on the number of cattle grazed, the entries will be made in columns 55 to 57.

Notes

Rules from 94 to 118 provide for matters relating to rent, revenue and demands due to the Government. The preparation of records, Statements and registers in this respect have been prescribed in these rules. The instructions regarding duties of patwaris for these purposes have been laid down.

94. *Bahi Khata Jins (Grainrent ledger)* —The Patwari shall maintain a record pertaining to the calculation and realisation of grain rents i.g. rent collected in kind, in a grain rent ledger popularly known as Bhai Khata Jins for villages or lands where the rents are assessed by apportionment (Latai or Batai) or appraisement (Kunt or Kankut) or by any other method.

95. *Preparation.*—(i) The ledger shall be kept in F-20. It should be completed by 15th December for Shialu and 15th May for Unhalu.

(ii) For the purpose of preparing the Grain rent ledger, the Patwari shall be present along with the estate-holders and cultivators at the time of appraisement or apportionment. However, if the Patwari is not able to attend owing to some specific unavoidable circumstances, he should obtain from the Tehsil clerk concerned and from estate-holders all the particulars necessary for entry in this ledger as early as possible.

96. In the event of appraisement, the Patwari should accompany the appraisers from field to field and record their valuation in

the ledger. At the close of every day, he should sign each page, which has been completed, and he should also obtain the signatures of the appraisers individually. In the case of apportionment he should stay at the place where the Batai is done, to complete the ledger and obtain signatures of the estate-holder and the officer performing the duties of Batai.

97. In case there are arrears, the value of grain in arrears should be shown in the remarks column.

98. In addition to the Patwari, Lambardar, Shehna, the appraiser, the estate-holder if present, the officer incharge of the Batai work shall also sign the completed ledger after the work of appraisal or apportionment is over.

99. *Crop statements. Jinswar Kharif. Jinswar Rabi. Jinswar Zaid.*—(i) During each inspection tour, *i. e.* Shialu, Unhalu and Vishesh Unhalu, the Patwari shall, as each page of the Kharsa is completed, total up the areas under each crop on that page and both the irrigated and unirrigated areas shall also be shown separately under each such total.

(ii) At the termination of each inspection tour, the Patwari shall enter the page totals in the relevant Naksha Jinswar (Crop statement) in the prescribed form: Jinswar Shialu, Form P-16, Jinswar Unhalu, Form P-17, and Jinswar Vishesh Unhalu Form P-18. These forms are given at the end of this chapter.

(iii) The page-wise totals for the entire village shall be entered in the Naksha Jinswar in such a way that the totals at the end of each page in the Khasra are carried over and entered in the first line of the following page, so that the totals for the preceding page or pages might also be included in the totals for that page, and the adding up of all the page-wise totals for arriving at the totals for the entire village at the end, might be facilitated.

(iv) At the end of each Jinswar the Patwari should note the figures of the preceding year in another ink and account for the increase or decrease in the cultivation of each crop. Similarly the Inspector and the Tehsildar should write explanatory notes on the consolidated statements.

100. *Crops to be shown in the Naqsha Jinswar.*—Each crop should be shown in one of the relevant columns of the prescribed form for each "Fasal". If any crop has not been provided with a separate column, additional columns should not be inserted, and should be shown in the columns provided for miscellaneous crops. In case instructions are received by the Patwari, through the Inspector, to show any such crop separately, he shall comply accordingly.

101. *Crop Failure.*—In the event of any crop failure, the area over which the crop has failed, shall be shown in the relevant crops column in red ink as denominator below the figure of the cropped area. In districts where Kharaba is recorded, the Kharaba

area will be entered as denominator under total area cropped and the area completely failed (Bijmar) will be entered as denominator to the Kharaba and will be deducted out of the Kharaba area. At the end of the Jinswar statement the totals should be similarly shown crop-wise in respect of such area, and cause of failure, in respect of each crop, should also be given briefly.

102. *Completion & submission of Jinswar statements.*—The Patwari shall finish the completion of Jinswar statements simultaneously with the completion of his Shailu, Unhalu and Vishesh Unhalu inspection tours, of each village and send them to the Inspector forthwith.

The latest date of submission of these statements to the Inspector shall be:—

5th November,	for Shialu.
20th March,	for Unhalu.
20th May,	for Vishesh Unhalu.

103. *Jamabandi for fluctuating assessment.*—(i) The Jamabandi for fluctuating assessment will be prepared on Form P-25 for those villages only where rent or revenue is realised on the measurements of cultivated area, the area newly cultivated, additional irrigation and extension of irrigation on the basis of rates prescribed at the time of settlement. In other words, this Jamabandi will be prepared for those areas and villages only where the rent or revenue is not fixed but fluctuates from crop to crop and year to year. Those areas, which are not occupied and included in the Khata of any tenant and temporary cultivation, in the bed of tanks and rivers, will also be included in this Jamabandi.

(ii) Additional irrigation does not cover the areas irrigated by canals for which water rates are separately charged. It applies only to such areas, irrigated by wells, which were not classed as Chahi or irrigated at the time of settlement and irrigation has been extended there too subsequently. This practice is prevalent in District Kotah and is known by the local term of Jadid Pivat. Similarly in Ganganagar District rent is collected on the area of matured crops. It is known as "Hoi Boi" and consequently the assessment fluctuates from crop to crop and year to year.

104. *Dhal Banchh.*—The Patwari shall prepare each year a Banchh paper showing the details of every kind of demand due to Government from each estate-holder or tenant to the village Banchh. In villages under fluctuating assessment the Banchh papers will be made after the Girdawari on which the assessment is based. In all other villages the Banchh papers must be prepared by the Patwari for every village immediately after Kharif Girdawari upto the 15th November and the Patwari must, if necessary, correct the Banchh paper at the second harvest of the year upto the 15th May, so far as may be necessary, to make them agree with the events that have occurred since their preparation.

105. In the case of villages which are not assessed in cash (settled) and the rent is collected in kind, a separate grain rent ledger, showing demands due from each owner or cultivator, will be prepared.

106. The Inspector of Land Records should carefully check the Dhal Banchh (Banchh papers) with the Jamabandi, Mutation Register, the last year's Dhal Banchh and Khasra Girdawari and sign it after having satisfied himself of its correctness. The Tehsildars and Naib Tehsildars should also check at least 25% of the entries and sign it. Form P-30 is prescribed for this purpose. The Patwari will keep one year's Dhal Banchh with him and file it in the Tehsil Office when a new one has been prepared for the coming year. In case of Jagir areas the Patwari shall give a copy to the Jagirdar in order to enable the latter to collect rents. The Jagirdar shall inform the Patwari of the terms of lease given by the latter out of the unoccupied area. The Patwari may verify the terms of leases by reference to the Pattas and Qabuliats and the receipt books maintained by Jagirdars.

107. *Demand Slip*.—Demand Slip is a paper in which all kinds of agricultural Government demands due from an estate-holder or tenant according to Dhal Banchh, are shown. The Patwari shall prepare it every year along with the preparation of Dhal Banchh and supply the same to each person liable to pay before the date fixed for collection, so that he may know what amount he has to pay and under what heads during that year. The demand in respect of each crop shall be shown separately in columns 3-4 and 9-10. The demand slip shall be prepared on the basis of Dhal Banchh in two foils of which one will be given to the person liable and on the other, to be retained by the Patwari, his receipt will be obtained. Form P-31 is prescribed for this, which will be bound and each book will contain 25 to 100 slips according to the number of persons in the Dhal Banchh of the village. No cost of demand slip shall be charged from the persons concerned.

108. The Inspector of Land Records should carefully check the demand slips along with the Dhal Banchh.

109. *Siyaha or Cash Book*.—The 'Siyaha' is the register in which all kinds of realisations of demand as specified in the form prescribed for the purpose *i.e.* From P-32 are recorded. Entries of realisations shall be recorded in the "Siyaha" as realisations are made. Totals of daily collections shall be given as soon as collections are closed every day and no refunds will be permissible out of the collections. In villages where collections of rent are made by Jagirdars the Patwari shall prepare the Siyaha after consulting the accounts and Receipt Books maintained by the Jagirdars.

110. (i) The Lambardar shall receive the amounts paid by each estate-holder or tenant. When the collections, made during the day are totalled up the, Patwari should obtain a note signed by

the Lambardar in acknowledgment of the amount collected that day. This endorsement will be made by the Lambardar after he has tallied the amount received by him with the total amount entered by the Patwari in the Siyaha.

(ii) After the entry of collections. totals for every day, the total amount collected upto the preceding day, will be shown separately and total collections made up to date shall also be shown.

Example:—Rs. 100/- were collected on 1st January and the collection on 2nd January amounted to Rs. 80/-the Patwari will enter them as under :—

The collection on 2nd January	.... Rs. 80
Total collection upto last day	
i. e. 1st January	100
Collection up-to-date	180

(iii) The realisations of every three day shall be remitted to the Tehsil Sub-Treasury on the fourth day, through the Lambardar who will be held responsible for depositing it in the Sub-Treasury, in due time In the case of villages situated at a considerable distance from the Tehsil head-quarters, where the travelling expenses would exceed the amount of remuneration received by the Lambardar, the period for making such remittances may be extended upto seven days by the Tehsildar and upto fifteen days by the Collector provided that no amount in excess of Rupees two thousand is thereby retained by the Lambardar at a time

111. (i) The realisations made and credited under the various heads as prescribed in the Siyaha shall be entered under the same heads in the "Arz-Irsal", Form P-34, for remittance to the Tehsil Sub-Treasury. The Patwari shall deliver the Arz Irsal to the Lambardar after obtaining the receipt under the remittance entry in Siyaha, and the latter, after depositing the amount in the Sub-Treasury, shall return the receipt copy of the Arz Irsal to the Patwari who shall paste it in the remarks column of the Siyaha where the entry of remittance was made.

(ii) The Patwari shall follow the same method for totalling up the remittances as described in paragraph 110 (ii) for collections. In the event of direct remittances being made by an estate holder or a tenant in the Tehsil Treasury, the Patwari shall make necessary entries in the 'Siyaha' on the receipt of the receipt copy of the Arz-Irsal from Tehsil and shall paste this copy as well in the "Remarks" column of the "Siyaha" in the manner stated above. If the duplicate copy is not handed over to the Patwari by the depositor, the former shall copy such amounts from the register of the Tehsil revenue accounts when he attends the Tehsil Office at the end of the month for drawing this salary, and the Accountant shall sign such entries made by the Patwari from his register in token of their correctness.

112. *Procedure regarding remittance of amounts returned by the treasury*—In the event of non-acceptance of any remittance by the Tehsil Treasury, wholly or partly, the fact shall be noted

down by the Patwari in the remarks column of the "Siyaha" and the amount so returned by the Treasury shall be remitted to it again after due correction along with a fresh 'Arz-Irsal' for such an amount, immediately. Such amounts will not be accounted for by the Patwari in the credit and debit columns but only in the remarks column of Siyaha. If the Lambardar makes undue delay in depositing such amounts in the Sub-Treasury the Patwari shall report the matter to the Tehsildar.

113. *Miscellaneous collections viz irrigation fees* :—The Patwari shall maintain a separate Siyaha and Receipt for miscellaneous collections made by him e.g. irrigation fees.

114. *Opening and Closing of Siyaha*—The "Siyaha" shall be opened on first October every year and shall be closed on 30th September.

115. *Disposal*.—The Patwari shall be keeping the "Siyaha" with him for one year after it has been closed and then shall file it with the office Qanungo not later than 31st October of the following year.

116. *Receipt Book*.—(i) The Receipt Book is bound into volumes, each volume containing 100 or 50 or 95 forms of receipt in triplicate. [See Rule 42 of the Rajasthan Tenancy (Government Rules), 1955]. Every form of receipt shall bear the stamp of Tehsil and every receipt book shall bear a separate number. The Patwari shall enter the serial number of the receipts below the Receipt Book number. In case the Patwari finds that there are additional number of forms in the Receipt Book or if some forms are found missing, he shall report the matter to the Office Qanungo and get the total number of forms in such Receipt Book duly attested and signed by him.

(ii) On receipt of any amount by the Lambardar the Patwari shall complete the entries in the form of Receipt in triplicate and get them signed by the Lambardar. The third foil shall be handed over to the depositor and the second foil shall be attached with the "Arz-Irsal" to be despatched to the Tehsil Treasury while the first foil shall remain in the book with the Patwari. At the back of this first copy, the signature or thumb impression of the depositor shall also be obtained in token of receiving the third copy.

117. *Arz-Irsal*.—(i) The Patwari shall prepare the Arz-Irsal in Form P-34 in respect of each remittance. The Arz Irsal shall be entered in triplicate which will be handed over by him to the Lambardar who is authorised to make collections and who shall take it with the amount to the Revenue Accountant of the Tehsil. The latter shall check the entries in the Arz-Irsal by totalling the entries in the accompanying receipts and by reference to his register. The accountant shall also compare the number of receipts attached with the Arz-Irsal with the number of the last receipt received by him with the preceding Arz Irsal and see that no intervening receipt has been withheld by the Patwari. For this purpose he will have to keep village-wise files of receipts arranged in serial order of the Receipt Book and receipt numbers. He shall then make

endorsement over the Arz-Irsal to the effect that the comparison has been made by him 'Milan Kiya Gaya' and thereafter shall return the Arz Irsal to the Lambardar.

(ii) The Lambardar shall then hand over the 'Arz-Irsal', as well as the money to the cashier in the Tehsil Sub-Treasury who will deposit the amount, make the requisite entries on the Arz Irsal, get it signed by the Tehsildar and then return one copy of the Arz Irsal to the Revenue Accountant, who will make necessary entries in his register, make an endorsement about this on the copy and return it to the Lambardar. The Lambardar will then make over the copy of Arz-Irsal to the Patwari for being pasted in his Siyaha as mentioned in paragraph 111 (i), and the Patwari shall give the Lambardar a receipt for the return of the Arz-Irsal in Form No. P-38.

118. *Deposits made direct to the Tehsil.*—In case of deposits made direct to Tehsil, the depositor shall tender the amount along with Arz-Irsal (in triplicate duly filled in by him). The same procedure as mentioned in the preceding paragraphs about the verification by the Revenue Accountant, will be followed in this case also. But one copy of the Arz-Irsal will be retained by the Revenue Accountant, who will arrange to send to the Patwari or deliver it to him when the latter visits the Tehsil for receiving his salary. The third copy will be given to the depositor as receipt.

MUTATION (Rules 119 to 147)

Notes

The rules under this heading have been framed under Section 133 and 135 of the Act which read as under:—

133. (1) Every person obtaining possession by succession, transfer, or otherwise of any property or other right or interest in any land or the profits thereof, which is required by this Act, or any rules made thereunder to be recorded in the annual registers, shall bring the fact to the notice of the village Patwari and report it to the Tehsildar of the Tehsil in which such land is situated, either direct or through the village Patwari or Land Records Inspector, within three months from the date on which he obtains such possession.

(2) If such person is a minor or otherwise disqualified, the guardian or other person who has charge of such person's property shall make such report.

135. (1) The Tehsildar, on receiving such report, or upon the facts coming otherwise to his knowledge, shall make such inquiry as appears necessary and in undisputed cases, if the succession or transfer or other acquisition appears to have taken place, shall record the same in the annual registers.

(2) If the succession or transfer or other acquisition is disputed, the Tehsildar shall, if competent under this Act or any other law for the time being in force, decide such dispute according to law and if not so competent, refer the dispute to any other officer so competent for decision.

119. *Mutation Register.*—Mutation Register (Form P-21) is prescribed for the entry of every acquisition of any right or interest in an estate as an estate-holder (Jagirdar, Sub Jagirdar, Bisweddar or Zamindar) or tenant (except those of a subtenant) and for disputed acquisition of other rights. The mutation.

register is not a part of record-of-rights and its entries do not share in the presumption of truth attached to that record. In case of Jagirdars and Sub Jagirdars and other assignees, the mutations of their rights will generally be those of succession, and mutations of alienation of such rights will be very rare and under specific provisions of any law, for the time being in force, and an order of competent authority which will be clearly quoted. All mutations of rights of an estate-holder or Khatedar tenant including voluntary partitions, shall be entered by the Patwari in the register when they are reported to him by the transferee, and if not so reported, then as soon as they appear to have been acted upon. The Patwari shall give a receipt for every written report made to him under section 133 of the Rajasthan Land Revenue Act, 1956. When the Patwari enters the mutation effecting the genealogical tree (Shajra Nasb) he shall note in pencil the number of mutation against the entry affected. If and when the mutation is sanctioned he shall amend the 'Shajra Nasb' in red ink accordance with the mutation order.

120. The Patwari shall, whenever the mutation case is entered in the register, note the serial number and nature of transfer in pencil in the column for remarks of the Jamabandi (Khewat Khatuni) opposite the appropriate holdings. If and when the mutation is sanctioned, he should make a detailed note in red ink. Serial numbers of 'Fard Badar' entries should also be similarly noted and in order to distinguish them from the serial numbers of mutations the word 'Badar' should be added. 'Fard Badar' entries will thus be referred to as 1. Badar, 2. Badar, etc., etc.

121. *General instructions.*—(i) The mutation register shall consist of a counterfoil and foil. The former is the Patwari's copy of register, while the latter is removed after orders have been passed and sent to the Tehsil to be filed with the quadrennial Jamabandi, when it has been prepared. The counterfoil of mutations, thus sent, shall remain lying with the Office Qanungo for 4 years to be filed with that Jamabandi.

(ii) The Patwari should make entries in columns 1 to 14 of the counterfoil, but he should not make entry in column 16. Having thus filled up columns from 1 to 14, he shall copy these entries in the foil. He will then write his report in column 16 of the foil. He will briefly state the facts explaining the change, the names of the persons on whose information the entry is based, and he will require the Lambardar concerned to attest the entry by seal or signature. He is, however, strictly forbidden to take the thumb mark or the signature of any of the parties to the transaction anywhere on the mutation sheet.

(iii) The Inspector must attest, by personal examination of the papers concerned, every entry made by the Patwari in the counterfoil and foil noting briefly that he has done so, with date

below his report in the latter. He must sign the entries in both counterfoil and foil.

(iv) The Revenue Officer (the Tehsildar, the Naib-Tehsildar or an Assistant Collector) Should carefully compare the entries in the counterfoil and foil, and must write his order on the latter. He should see that entries in the mutation sheet as his orders thereon are neatly and legibly written. The order should show the parties interested, whether all were present or any one was absent, the way in which his evidence was obtained, or it was not obtained, what opportunity was given to him to be present, who identified the parties present and the place at which and the date on which it was written. In mutations of alienation of land the caste and sub-caste of the party should be named in the order. No detailed record of the statements of parties and witnesses need be made but the order must state briefly the persons examined by the Revenue Officer, the facts which they deposed and the grounds of the order. Except where the mutation order relates to an entire holding and in cases of undisputed inheritance, the Revenue Officer must enter in his own hand the number of the fields affected and their total area.

(v) The Revenue Officer must write with his own hand in the counterfoil a brief abstract of the operative part of the order giving the number of the fields affected and their total area thus 'Dakhil Kharij Numberan Fallan Raqba Fallan Manzoor Hai.' No recital of the facts on which the order is based should be entered in the counterfoil.

(vi) When mutation is refused the Revenue Officer must similarly pass an order to that effect on the foil and note the facts in the counterfoil. He must sign the entries in the counterfoil after comparing them with those on the foil.

(vii) For the action to be taken with reference to share in the 'Shamlat' area the instructions contained in paragraph 126 should be followed. Regarding the procedure to be observed in connection with alienations which are affected by the relevant sections of the Land Revenue and Tenancy Acts the instructions contained in paragraphs 137 and 138 should be observed.

(viii) To save stamp duty and registration fee on deeds relating to the alienation of immovable property, it has become the practice, especially in urban areas, to execute instead of a regular sale deed, two documents as follows:—

(a) a receipt for the payment of the price of the property which is described as having been orally sold, together with

(b) an indemnity bond relating to such oral sale, and then get both these documents registered. Thereafter the sale is reported for mutation proceedings as 'Zabani Bazaria Rasid Registri Shuda' with the object of clothing what is essentially an oral transaction with something of the protection attaching to the registration procee-

dings. In such case, no mention of any receipt or indemnity bond should be made in the mutation proceedings either in the Fatwari or Inspector's report or in the order of the Revenue Officer who should treat such transactions purely as 'Zabani' and not as 'Zabani Rasid Registri Shuda'.

Any contravention of these instructions by the Patwari and other revenue staff will be severely dealt with.

122. *Correction previous to attestation.*—The entries in columns 8 to 13 should correspond in every case with the order passed upon the mutation in question; where owing to a mistake or otherwise they do not do so, they should be altered so as to correspond with that order. Any alterations required for this purpose should be made, as far as possible, at the time of passing the order but if not then made, they can be subsequently made at any time before the mutation in which they are to be made are incorporated in the Jamabandi.

123. *Correction after attestation.*—At any time before a mutation is incorporated in the Jamabandi any clerical or arithmetical mistake inadvertently made in the order passed upon it can be corrected without obtaining permission for reviewing that order. The correction of such mistakes can be made by the Revenue Officer who attested the mutations in which the mistakes have occurred or by his successor or by a superior officer. In making such corrections the original order should not be altered, but a separate note should be recorded briefly describing the corrections made. It will not be necessary to hear the parties concerned in connection with such corrections. The Fard Badar procedure, described in paragraph 166, may be used for the purpose of avoiding the entry of a further mutation of inheritance in cases where in entering the original mutation, some of the holding of the deceased were inadvertently omitted. In such cases the Patwari will merely state in his report of the Fard Badar that such and such holding have been omitted, from such and such mutation and the Revenue Officer's order upon this report will merely state that the order already passed upon the mutation in question should be considered applicable to those holdings also.

124. *Numbering of entries.*—The numbering of the entries in the mutation register should be continuous for the term of settlement. A new register should be opened only when the old register has been used up. Both the counterfoil and foil sheet shall be numbered. Only one sheet will not be necessarily used in each case. If the transfer involves big entries *e.g.* in the case of one big holding being affected, one or more additional sheets may be used for the counterfoil and foil. The foils should not be detached from the register until orders are finally passed by the Revenue Officer, who should take them off and make them over to the Office Qanungo, stitching the forms together with a strong thread.

125. *Transfer of portion of field.*—If a part or a share of field has been transferred and separate possession has been taken, a map of the whole field showing the part transferred shall be drawn on the back of the mutation sheet and its counterfoil. No partition proceedings are necessary. The Inspector must attest the correctness of the map after personal examination of the field on the spot and satisfy himself as to the fact of the possession. He must also see that the field as drawn on the back of the mutation sheet is an exact copy of the field as shown in the 'Shajra Kishtwar'. The instructions contained in the paragraphs 59 and 60 of these Rules regarding the preparation, checking and use of these maps should be followed. The attesting officer must withhold the passing of an order sanctioning the mutation if he finds that these instructions have not been carried out fully. In the case of transaction based on a registered deed, the Tehsildar should immediately, on receipt of the Registration Memorandum from the Registration Office, direct the Inspector and the Patwari to proceed to the spot and prepare a Titamma Shajra, if one is necessary, on the material given in the Registration Memorandum. On the completion of the Titamma Shajra, it shall be submitted to the Tehsildar by the Inspector.

126. *Partition.*—Final orders in partition cases will be entered if partition is sanctioned and the orders carried into effect. Such entries will be attested in the same way as other mutations.

127. *Land hypothecated to Government.*—Mortgages of land hypothecated to Government for repayment of Taccavi or for other purposes will be entered in the Mutation Register.

128. *Order of the Court.*—In entering orders of court the Patwari should note in red ink in column 16 of the foil and counterfoil the following particulars:—

- (i) Name of Court,
- (ii) Name of parties, and
- (iii) Abstract of decree.

129. *Consideration money.*—When a sale, mortgage or lease embraces land in more than one estate and no specific portion of the sale or mortgage money or rent as ascribed to the land entered in the mutation is mentioned, the portion of the consideration money to be entered in the mutation shall be in proportion to the share of the total area transferred that is dealt with in the mutation.

130. *Special instructions.*—The instructions laid down in paragraphs 163 to 166 for the entries in the Jamabandi shall also apply to the Register of Mutations subject to the following instructions:—

(i) Columns 2 and 8.—In a case of transfer an estateholder's right, it will usually be enough to enter the Jamabandi number. In

a case of transfer of tenants holding both the Jamabandi and Khatuni numbers shall be entered thus—

Jamabandi	10
Khatauni	23

(ii) Entries in columns 4, 5, 10 and 11 should be made in a reasonably abbreviated form. In cases affecting a number of holdings, more specially where there are a large number of co-sharers and only one or two have transferred, the names of the co-sharers transferring and their shares should be entered in detail and the names of other may be omitted with a note "Baqi Indraj Jamabandi Badastoor." Similarly in case of transfer of estate-holder's right, where the tenancy of the holdings is unaffected, the only entry that need be made in columns 5 and 11 is "Badastoor."

(iii) Columns 6 and 12.—Except where the following of a different course may be unavoidable, the field number and area shown in the last Jamabandi shall be entered in these columns. If the mutation relates to a whole holding this can be noted, and the total area given without any details of field number.

(iv) Column 8.—The column will be field up when the new Jamabandi has been prepared.

(v) Columns 10 and 11. If a sharer in a joint holding sells or mortgages the whole or a definite fraction of a share, the name of the transferee will be shown in column 10; but if he sells or mortgages certain fields and gives possession to the transferee, the latter's name must only be shown in column 11, a brief explanation of his tenancy being noted in column 16

(vi) Column 15.—After a mutation has been disposed of, the mutation fee due should be entered in both the foil and counterfoil by the Revenue Officer him self.

131. *The Scope of Mutation* --The Status of an estate-holder or a tenant cannot be altered except—

- (a) by agreement of all the parties interested; or
- (b) in consequence of decree or order which is binding upon them; or

(c) in accordance with facts proved or admitted to have occurred under the relevant provisions of the Rajasthan Land Revenue Act, 1956.

(ii) In cases of inheritance a summary inquiry into the title is necessary. Where it is claimed that property devolves by reason of will, this should be treated as a case of succession by inheritance and the inquiry will include an enquiry into the validity of the will.

132. In the case of transfers, by gift, sale or mortgage, the Patwari should ascertain whether a deed has been written. If so, he should inspect it, and take a note of its nature, the names of the parties and the dates of execution and registration if it has been registered and any other necessary particulars. A brief note of these matters should be entered in column 16 of the counterfoil

of the register. The Patwari must not retain the deed in his possession, or take a copy of it. Attesting officers should satisfy themselves that the particulars regarding the deeds of transfer, given in the Patwari's mutation reports, are correct.

133. *Transfers not effected.*—Except in cases of entries of collateral mortgages in the Jamabandi, the Patwari should also ascertain whether possession has passed and mutation of transfer by gift, sale or mortgage should not be attested unless—

(a) possession is proved to have actually passed; or

(b) the parties have agreed before the attesting officer that possession has passed; or

(c) the parties have agreed in a registered document that possession has passed. A mutation should not be refused merely because it is claimed that the alienor has no right by custom or statute to make such alienation. Such transaction is a "Fact" until it is set aside in due course of law.

134. In the case of mutation in which it is a condition of the transfer that possession be given after certain harvest, if the alienor is prepared to give and the alienee to receive possession on the prescribed date, attestation should be postponed until such time, and mutation then allowed on evidence that possession has been taken. But, in the event of any dispute between parties, the attesting officer should refuse the mutation on the ground that no possession has been given, leaving it to the Patwari to make a fresh entry in the mutation register when the Khasra Girdawari shows that the change has taken place or on the report of one of the parties to the effect.

135. *Mortgages.*—(i) All mortgages and sub-mortgages, whether collateral or with possession, whether contracted for long or short periods, and whether by deed or by oral agreement, should be entered in the mutation register, redemptions of such mortgages should also be entered. Cases of increase of mortgage money on previous mortgage, should not be entered in the Mutation Register. In such cases, if the Tehsildar is of opinion that the change sought to be introduced would result in contravention or evasion of any of the relevant provisions of the Land Revenue and Tenancy Acts, he should forward the mutation, without passing orders on it, to the Collector for the exercise, in his discretion, of the powers vested in him under the above Acts. But other cases of mere increase of mortgage money, on a previous mortgage, which is otherwise maintained unchanged, should not be entered in the Mutation Register. Care should be taken to ascertain how the mortgaged land is cultivated and how the produce of rent is enjoyed, and by whom the revenue or rent is paid, other conditions of the mortgage need not be particularly enquired into, but the amount of the mortgage, as admitted by the mortgagor, should be noted in column 14 of the Mutation Register. Collateral mortgages, though entered in the register, are only noted in the remarks column of the Jamabandi.

Land which is already subject to mortgage is sometimes mortgaged by the mortgagor to a third person on the condition that the previous mortgage will be redeemed by the latter. This second mortgage should be treated as a collateral mortgage and subsequently a new mortgage with possession should be sanctioned when the land is redeemed by the second mortgagee; a sub-mortgage, accompanied by the transfer of possession, is treated as a mortgage, with possession.

(ii) A mutation should be entered in respect of land hypothecated to Government by way of security for repayment of an advance. If a second loan is taken on the same security it is not necessary to enter a new mutation.

(iii) Transactions relating to mortgage of rights of cultivation by estate-holders, involve the acquisition of a right and as such mutation should be entered in such cases.

136. *Cases in which mutation order must show whether the transfer includes a share in the Shamlat.*—As regards transfers by sale, gift, mortgage or exchange, it is necessary to show whether a share of the Shamlat is transferred with the land and the following instructions should, therefore, be observed on this subject:—

- (i) In cases of sale, gift or mortgage, the mutation order should always state whether a share of Shamlat is included in the transfer. In cases of exchange the Shamlat is generally excluded from the transfer and nothing should, therefore, be said about it except where it is specifically included when the fact that it is included should be mentioned in the mutation order.
- (ii) If a deed of transfer by sale, gift or mortgage does not specifically mention that a share of Shamlat is transferred with the land, it should be presumed that the Shamlat is not transferred.
- (iii) Where a mutation of inheritance, sale, gift or mortgage concerns a share of the Shamlat, the Shamlat Khata should be entered in the mutation so that the mutation of the co-sharers in the Shamlat may be correctly entered in the Jamabandi.
- (iv) When the mutation does not cover a share in the Shamlat, the new alienee should be shown as "Bina Hissa Shamlat" so as to secure that on partition he shall not, simply by being an estate-holder or Khatedar, receive a share of the Shamlat to which he is not entitled. The name of the person to whom the Shamlat, pertaining to this new Khata, belongs, shall also be recorded in the column for estate-holders, under that of the new estate-holder with the title "Hissedar Shamlat," and the Khata of the new holding shall always be incorporated in the Jamabandi immediately below the Khata of the holding from which it was taken.

- (v) When the mutation refers to a mortgage, it is necessary to show the mortgagee as "Murtahin Mae Hissa Shamlat" or "Murtahim Bila Hissa Shamlat" as the case may be.

137. *Mutation of Khatedari rights.*—(i) In mutation proceedings relating to alienations of Khatedari rights, the estate-holder is undoubtedly an interested party to the proceedings. The Revenue Officer's orders should note briefly whether the estate-holder has been examined by him and, if so, whether he consented to the alienation. This does not mean that if actually the transfer has taken place, the mutation may be refused simply because the estate-holder refuses his consent.

(ii) If the Revenue Officer is of the opinion that a transfer by a Khatedar tenant contravenes the provisions of section 42 of the Rajasthan Tenancy Act of 1955, (1) without the permission of the Government to any person who already holds land in Rajasthan which, with the land to be purchased or granted, will in the aggregate exceed 90 unirrigated acres or 30 irrigated acres or (2) by a person other than a Khatedar tenant who possesses full transferable rights in the tenancy, he (the Revenue Officer) shall not sanction the mutation but shall submit it to the Collector for orders.

138. *Right of absentees.*—(i) When a right holder entered in the record of rights or annual record as "Ghair Hazir or Ghair Qabiz" has not been heard of within seven years but has been so entered for more than twelve years, the Patwari shall enter the case in his register of mutations and shall report it to the Tehsildar.

(ii) When a right holder, entered in the record of rights or annual record whether he is or is not described therein as an absentee (Ghair Hazir) or as out of possession (Ghair Qabiz), has not been heard of for five years by those who would naturally have heard of him if he had been alive, the officer attesting the mutation may (unless he sees reason to the contrary) presume that he is dead and pass orders on the case accordingly; but before ordering the omission of his name from the record of rights or from annual record, such officer should satisfy himself that all reasonable endeavour has been made to ascertain whether the absentee is alive and to give him an opportunity of appearing.

(iii) No new entry of any one as "Ghair Hazir" should be made. A right holder should not be entered as "Ghair Qabiz" if he is himself in legal or constructive possession, or when he has put some one else in possession, on his behalf or the land is lying waste or he is unable to cultivate it by reason of poverty. A familiar instance would be of a person serving in the army who has left his land in his brother's possession while he is with his regiment. In this case such a person should be entered as in possession of land through his brother. An entry of 'Ghair Qabiz' should not be made unless some person other than the right holder is in adverse possession. In the case of the entry of 'Ghair Qabiz' for a Khatedar

tenant the provisions of section 60 of the Rajasthan Tenancy Act will be followed carefully.

(iv) No effect shall be given to any order (a) directing the omission of the name of the right holder who has been entered as 'Ghair Hazir' or 'Ghair Qadiz' or (b) directing the entry of right holder as 'Ghair Qabiz' until such order has been confirmed by the Collector.

139. *Escheats*.—In mutation cases dealing with lands of deceased estateholders who have left no apparent legal or customary heirs or successors, the mutation should be disposed of by the Collector who shall see that there is no indiscriminate or indiscreet pressing of Government's claim to escheat and careful attention should be paid to the rules and instructions which may be issued by the Government in this behalf from time to time.

140. *Interrogatories*.—(i) If a Patwari finds, when entering a case in the mutation register or otherwise, that a person whose statement is essential for the disposal of the case, is residing outside the limits of the Tehsil, he should write up an interrogatory in Form P-22.

(ii) The Patwari will fill in columns 1 to 4 of this statement and then despatch it to his Inspector, noting the facts in column 15 of the mutation sheet. The Inspector will add his signature in column 4 of the form and submit it to the Tehsildar. In column 6 the Tehsildar or other officer in whose jurisdiction the person is residing or the Collector, if the interrogatory is to be sent through him, will write his report. The Tehsildar, who is thus addressed, should himself, as far as possible, record the statement of the person concerned but to avoid delay, he may depute the Naib-Tehsildar or Inspector of the circle to do so. The date of receipt and despatch of the interrogatories should be recorded in the despatch book of every officer through whose hands they pass.

(iii) The Tehsildar or the Naib Tehsildar, on visiting a village, should examine all mutations in which interrogatories have been issued and either decide such as are ripe for decision and the parties are present or should arrange for the decision of the mutation on the next suitable occasion.

(iv) Replies to interrogatories should generally be awaited for three months if the enquiry has been made within Rajasthan and for four to five months in the case of persons residing outside Rajasthan, but it is at the discretion of the attesting officer to wait longer in particular cases for special reasons.

(v) An interrogatory may also be issued under the orders of the attesting officer for the examination of the persons residing within the limits of the Tehsil, if the officer thinks that such person cannot attend without an amount of expenditure and inconvenience which would be unreasonable in the circumstances of the case. No interrogatory should, however, be issued for the examination of a person

residing within the limits of the Tehsil unless such person resides at a distance of more than 25 miles from the village to which the mutation relates. An interrogatory issued under this clause should be entered in the same form as that prescribed for other interrogatories and should be addressed to the Tehsildar who, after himself recording the statement of the person concerned or getting it recorded by the Naib-Tehsildar or the Inspector concerned, will return it to the Inspector. In the absence of any special reasons replies to interrogatories issued within the limits of the Tehsils should not be waited for more than three months.

(vi) In order to see that prompt action is taken on interrogatories, inspecting officers should devote particular attention to ascertain that interrogatories sent from other districts are promptly dealt with. The Tehsildar should, at the close of each month, send a list to the Collector, through the Sub-Divisional Officer, showing the interrogatories received in his Tehsil which have not been returned to the Tehsil or district concerned as well as the dates of their receipt. The Sub-Divisional Officer should scrutinize these lists and take disciplinary action in cases where he finds that unnecessary delay has been allowed in the disposal of these interrogatories. A separate despatch register should be maintained in each Tehsil for entering interrogatories only. This register will be kept by the Office Qanungo who will enter in it all interrogatories received from, and issued to, other Tehsils. He will divide this register into two parts. In one part he will enter the interrogatories received from his Tehsil and in the second part those received from other Tehsils. He will also enter the date on which the reply to the interrogatories have been received or the date on which the reply has been sent to the Tehsil from which the interrogatories were received.

141. *Procedure as regards registered deeds of transfer.*—

(i) The Tehsildar would receive particulars of all registered deeds pertaining to all transfers of agricultural land, every month, from the Registrars and Sub-Registrars. The Office Qanungo will forward them to the concerning Inspector of the circle to distribute them to the concerning Patwaris. The form in which Registrar and Sub-Registrar will send the above monthly particulars to the Tehsildar is as follows:—

Serial No.	Name of the village where the land is situated	Nature of alienation and the area, field No., Jamabandi holding, No. of the land alienated and in the case of building situated within the limits of a Municipal Committee, details of property according to the Registration Act.	Amount of the consideration money entered in the deed	Name and residence of the person executing the deed.	Name and residence of the person to whom the land is alienated.	No. and date of the Registration through which the land is alienated.	REMARKS.
1	2	3	4	5	6	7	8

NOTE:—The entries regarding bulding in column 2 will be done and sent to the Tehsildars only in those districts where the record of Abadis is maintained by the Patwaris, e.g district Ganganagar.

with the memoranda is sent an invoice in the following form:—

Serial No.	No. of deed.	Name of village.	Date of return of Registration Memo (from the Qanungo)	Remarks
1	2	3	4	5

where a deed is not to take effect immediately but after a specified period, this fact should be noted in the column for remarks.

(ii) A file should be kept of all invoices received during the year and an index will be attached to it in the form usually adopted for miscellaneous files.

(iii) The memoranda from the Registration office will be sent to the Inspector, who will distribute them to the various Patwaris for entering in the Mutation Register in the usual way. The information in the memoranda is sufficient to enable the Patwari to enter the transfer in his Register of Mutations as soon as he receives them without reference to the transfer.

(iv) When the Patwari receives the memoranda from the Inspector, the former should make a note of the fact in his diary of events regarding the serial numbers of the sheets received by him. This entry in the diary should also be signed by the Inspector. The Patwari will then enter in his register the mutations detailed in the memoranda and endorse the facts of entry of the memoranda giving the serial number of each mutation and the date of entry. On his next inspection the Inspector will see that this has been done and after comparing the entries in the Mutation Register with the memoranda will sign both and shall himself forward the latter to the Office Qanungo. If a memorandum contains land situated in more than one Patwari circle, the Inspector will take similar action as regards all the circles concerned before forwarding the memorandum to the Office Qanungo.

(v) On receipt of the memoranda from the Inspector, the office Qanungo will place them on the file together with the invoice covering them. In the remarks column he will note the date of receipt. Thus he will be able to detect any delay in the return of the memoranda and shall bring the facts of such delay to the notice of the Tehsildar.

(vi) When all the memoranda pertaining to an annual file have been returned by the Patwaris, a note of the date on which the last memorandum was received should be entered in the index. The annual file which will then be completed, should be kept in the Tehsil and destroyed on the expiry of one year from such date.

142. *Mutation fees.*—(i) The scale of mutation fees is provided separately in Appendix II. Out of the amount charged as fee, $\frac{2}{5}$ ths will be paid to the patwari making the entries in the register, another two fifths shall be credited to the Government and the remaining one-fifth shall be paid to the Inspector concerned. The Patwari shall, however, not be entitled to any share in any amount imposed upon the party by way of penalty.

(ii) Mutation fee can be legally levied only from the persons in whose favour the mutation entry is made. In the case of a rejected mutation, the Tehsildar may remit the fee for any special reason to be specified by him in the order. In the case of every rejected mutation whose fees is not thus remitted, the order should give the name of the transferee from whom it should be recovered. This precaution is necessary in order to ensure that the fee is not recovered from the person from whom it is not legally recoverable.

(iii) The portion of the order referring to the recovery of mutation fee may be corrected by the Tehsildar, who passed the order or by his successor, or by a superior officer, for reasons to be recorded in writing.

143. *Levy of mutation fee.*—(i) Separate mutation fees are leviable in respect of each holding created by partition proceedings (including the residuary holding if any part of the original joint holding is left undivided), and not one fee only for the whole. In the case, however, of the annual recurring partition of Shamlat land effected by river action among the several share-holders, only one fee should be levied in respect of the entire holding, and when the converse case occurs and diluviated land, held in severalty is, on recovery, treated as Shamlat; only one fee is of course leviable.

(ii) No mutation fee can be levied from any Department of Government for land acquired in the interest of Government. As a corollary to this ruling, no fee is leviable on the resumption of revenue free assignments or on escheat of estates to Government, the mutation in such cases being in favour of Government. Fee should, however, be levied on grants, of or succession, to revenue assignments. Local bodies are not exempted from the payment of mutation fees, even when the property is acquired under the Land Acquisition Act.

(iii) The enhancement of the rent of a tenant is the acquisition of a right or interest necessitating mutation and the payment of a fee by the estate-holder.

(iv) In cases of exchange of land a fee should be taken from each of the two parties.

(v) No fee should be levied on simple corrections of mistakes in a previous record of rights as no right is freshly acquired. Similarly, no fee should be levied for entry of change of names provided that it involves no acquisition of any definite right in the estate concerned.

(vi) Paragraph 135 directs that second mortgage should be regarded as a collateral one and given effect to as such, and that subsequently a new mortgage with possession should be sanctioned when the land is redeemed by the second mortgagee from the first one. "A" mortgages his land in the first instance to "B" in whose favour a mutation of mortgage with possession is sanctioned. Then "A" remortgages the same land to "C" and a mutation of collateral mortgage in favour of "C" is the result in accordance with the instructions laid down in paragraph 135. Subsequently "C" redeems the land from "B" and consequently two mutations of redemption in favour of "A" one from "B" and other from "C" followed by a mutation of mortgage with possession in favour of "C" are entered, and sanctioned. In the case of redemption from "B" in favour of "A" the mutation fee should be levied from "A" while no such fee should be levied in the case of redemption from "C" as such redemption is only a "Tartibi" one and analogous to that mentioned in paragraph 135.

(vii) If a holding is transferred in separate parts by different instruments even though executed on the same day the transactions should be separately recorded in the mutation register, and a separate fee should be levied for each transaction.

(viii) Where a mutation fee is to be levied as a percentage of the land revenue of a holding and the revenue is fluctuating, the mutation fee should be calculated on the total of the Kharif and Rabi assessments of the agricultural year during which the transfer took place. If this, however, is the current year and the Rabi assessment has not been made at the time of attestation, the fee should be calculated on the assessment of the preceding year.

(ix) No mutation fee is leviable in the case of a mortgage of land to Government or in the case of redemption of such a mortgage.

(x) A separate mutation fee should be levied for the Shamlat holding where a transfer includes a share of the Shamlat.

(xi) No mutation is leviable on the entry of the name of a posthumous child.

144. *Payment of fees into the treasury.*—Each year in the month of September the Patwari should prepare for each village in his circle a list of the fees due on mutations attested during the past year and of the persons from whom fees are due on Form No. P-23. He should also give full details of the amount to which the various Patwaries and Inspectors are entitled as their respective shares. After the Inspector has checked the list, the Patwari will, after revising it, if necessary, make it over to the Lambardar whose duty it is to pay the amount of the fees, when the first instalment of the next Kharif land revenue is due, less the share to which the Patwaris and the Inspectors are entitled. The Lambardar will pay the share of the Patwari and the Inspector in charge of the

village to them and will obtain a receipt for the same. The share of other Patwaris and Inspectors, if any, will be deposited by him into the treasury and placed in revenue deposit and the Tehsildar will arrange for its disbursement among the rightful claimants. The receipt obtained by the Lambardar for the amount paid to the Patwari and Inspector must be produced by him when fees are paid into the treasury and in its absence no deduction on account of Patwari's and Inspector's share of the fees will be allowed by the Tehsildar. In case of absence, death or transfer of the Patwari and the Inspector entitled, or in case of a dispute as to who is entitled, the Tehsildar, on the application of the absentee or by a disputant, shall keep the money in deposit pending the appearance of the absentee or the rightful claimant or the Settlement of the dispute. The Patwari's and Inspector's share of the mutation fee shall otherwise not be put in deposit

Any overpayment made to a Patwari or Inspector on account of mutation fee should be recovered by deduction of this amount from his next pay bill under the orders of the Tehsildar. Recovery of any amount of overpayment from a dismissed Patwari and Inspector may be made from him or from his dues pending or deposited with the Government.

145. *Patwari's share to whom due.*—The share of the mutation fee to which the Patwari and the Inspector is entitled should always be paid to the man who enters the case in the mutation register and not to the man who incorporates the sanctioned entries in the Jamabandi.

146. *Entry of fees in lists.*—In order to secure the correct entry and collection of mutation fees, the Patwari when preparing the lists referred to in paragraph 144, will enter in red ink over the serial number of each mutation (column 3 of the lists) the amount of fee according to the mutation sheets, and at the bottom of column 3 will enter the total demand of the village. It is the duty of the Inspector when checking Jamabandis in the Tehsil, (see paragraph 157) to check these entries with the original sheets of accepted and rejected mutations and to certify that they are correct. Any mistake discovered by the Inspector should be communicated by him at once to the Patwari who will then complete the lists referred to above.

147. *Disposal of forms containing mutation orders.*—The following instructions prescribe the method of disposal of forms containing mutation orders:—

(i) Each Patwari will be provided with two counterfoil registers, the one for the accepted and the other for the rejected mutation. This register will be in the following form in duplicate, except that the last column will be only in the foil:—

Hadbast No. with name of village	S. L. No of batch for the current year for the village shown in col. 1.	Particulars of mutation			S. No. of Mutation sheets	Signature of Patwari	Signature of attesting officer	Date of receipt in Tehsil with signature of Office Qanungo
		Date of order	Total No. of Mutation	No. of Mutation sheets				
1	2	3	4	5	6	7	8	9

(ii) On each occasion that he attests the mutation of a village, the Revenue Officer should have the mutation sheets, on which orders have been passed, arranged in serial order in two bundles, the one of accepted and the other of rejected mutations and he should order the Patwari to enter the necessary particulars in the aforesaid registers. The foils should then be detached from the counterfoils and affixed as indices to the two bundles, each of which should be stitched together with a stout thread.

(iii) The bundles of sheets should then be despatched, or personally made over by the attesting officer to the Office Qanungo. Attesting officers are responsible for the safe custody of the sheets until they are so made over and should be very careful to prevent their loss.

(iv) On receiving the sheets, the Office Qanungo will check them with the indices, sign the latter and then place both sheets and indices in an almirah, where he will arrange them in files by Inspectors' circle and between boards tied round with tape or string. Within these boards the sheets should be arranged by Patwaris' circles, those of each being placed together, along with their indices in the order in which they reach the Office Qanungo. The files of accepted and rejected mutations in each Inspector's circle should be kept distinct and on separate shelves.

(v) After 15th June the Patwari should prepare two lists in the form below of all mutations attested during the year for each village in his circle. One list will show accepted and the other rejected mutations:—

Hadbast No. and name of village	Total No. of muta- tions	Total No. of sheets	No. of Mutations in serial order	Signature of Pat- wari	Signature of Office Qanungo	R e m a r k s
1	2	3	4	5	6	7

These lists should be prepared from the counterfoil register described in paragraph 147 and after being checked with the Register of Mutations should be sent to the Tehsil not later than 1st August, a copy of entries in the first four columns being retained by the Patwari in his diary.

(vi) On receipt of these lists the Office Qanungo should compare them with the mutation sheets in his custody, arrange the latter in their indices, sign the lists in column 6 in token of their correctness, and attach them to the bundles of sheets to which they refer.

(vii) As soon as a Jamabandi is filed, the Office Qanungo should make over the accepted mutation sheets of the village in question to the Inspector and take his receipt in the last column of the list which is attached to those sheets and which he will retain. The sheets will then be attached by the Inspector to the Jamabandi.

(viii) The list containing receipts of the Inspector should be made into Kuliat files, one for each Inspector's circle. Each file should be indexed and the lists which it contains should be arranged by the serial order of the Hadbast numbers of the villages to which they relate. The files should be destroyed after four years, that is, after the next detailed Jamabandis have been prepared.

(ix) The rejected mutation sheets of any village for which a Jamabandi has been prepared should be sent to the district record room along with that Jamabandi and lists attached to them. These sheets should be kept in the Land Records office for twelve years and then destroyed.

148. *Disposal of miscellaneous papers.*—Petitions and exhibits should be returned to the parties by the attesting officer. If depositions are taken by commission, the essential part of them should be very briefly incorporated in the attesting order so that the mutation sheet be complete in itself. Any papers which cannot be returned should remain attached to their proper mutation. When the

Jamabandi of any village is filed, the miscellaneous papers should be removed from the sanctioned sheets of mutations and made into distinct files, one for each Inspector's circle. These should be kept with the files and destroyed with them after 4 years.

149. *Milan Khasra statement*—(i) When the entries in the Khasra are all completed, the page-wise area totals of all kinds of land shall be shown in the "Milan Khasra" (Area statement) Form P-19, giving details of Khalsa and Jagir and of Zamindari and Rayatwari tenures under each of the Khalsa and Jagir totals. In the end the totals for the entire village shall be entered with similar details. The totals for the year of settlement as well as for the last year shall also be given and in the event of there being any deviation from these figures a brief explanatory note shall also be given showing the reasons for such deviation in respect of totals of khalsa and non-khalsa, cultivated and uncultivated, irrigated and unirrigated areas and in the number of wells and tanks. Changes in the total number of Pucca wells and tanks in use should also be explained in the same note.

(ii) At the end of the Milan Khasra, the Patwari shall also enter the total area, both irrigated and unirrigated, as shown in the three Jinswar statements and these totals should tally with the figure obtained by adding up the total area sown and the area cropped more than once should also be shown. In Column No. 8 details of occupied and unoccupied area (not available for cultivation) should also be shown.

150. *Shajra Nasab (Vanshawali brix)*.—Form P-24 is the genealogical tree and shall be prepared for all persons having Biswedari or Zamindari rights for at least the last four generations. It shall be prepared before the compilation of the quadrennial Jamabandi and all the changes occurring in the genealogical table will be incorporated in the Jamabandi. The arrangement of the genealogical tree (order of precedence) will be the same as has been observed in the record of rights at the time of the settlement. On the title page of the Shajra Nasab, the name of the village with its topographical number and the name of the Tehsil and district in which the village is situated and the kind of tenure in which it is held, shall be clearly mentioned. In Rayatwari villages Shajra Nasab will be prepared for Muafidars and Jagirdars only, i.e. only those persons who have proprietary rights.

151. *Tenures proprietary villages*.—In Biswedari and Zamindari paraganas, tenures are of the following different kinds:—

- (1) The Zamindari Khalis (Wahid) villages are those which are held by one proprietor.
- (2) The Zamindari Bill-ij-mal villages are those which are jointly held by several owners.
- (3) The Pattedari Mukammil (complete) villages are those which are held by owners who pay revenue according to their ancestral shares.

- (4) The Pattedari Ghair Mukammil villages are those which are possessed separately according to recorded shares, but also contain a joint holding shared by all owners called Shamlat Deh.
- (5) The Bhaiya Chara Mukammil villages are those in which all lands have been divided among the owners who pay revenue according to their possession.
- (6) The Bhaiya Chara Ghair Mukammil villages are those in which revenue is paid according to their separate possession but there is also a holding held by all village communities jointly for which revenue is paid according to the recorded shares.

The particulars of Biswedars and Zamindars under A. B. and C. of the title page should be filled in with reference to the details mentioned in the Wajibul-arz at the time of the last settlement.

152. *Arrangement of entries in Shajra Nasab.*—(i) In the first column of the Shajra Nasab the name of the Thok Patti or Taraf to which the family belongs should be entered. In the second column the caste and sub-caste (Gotra) of the family shall be mentioned. The genealogical tree of every family should be shown separately in the square provided for the purpose in the form and before beginning the entries for another family a red line should be drawn between the entries of the two, so that the entries of each family may be distinguished from the other. The genealogical tree of estate-holders at settlement will be shown with green colour.

(ii) The genealogical trees of village headmen, Lambardars or Chowdharies in a Biswedari or Zamindari village, who are land-owners and are appointed by the Government and who get some remuneration from the Government, will be shown by a red border.

(iii) If any girl inherits the property of her father, her name will be entered within a triangle below the name of the deceased, and her caste and sub-caste will be considered the same as that of her father without any consideration of the sub-caste of the family in which she is married.

(iv) In case of adopted son or the son by a former husband of a woman, inheriting the property, a note will be entered between the squares of the deceased father and the adopted son or the son by a former husband to show that the son is not a natural heir. If the adopted son inherits some property of his real father as well as that of the adopting father, his name will be entered at both the places, but if he does not inherit any property from his real father, only a note will be inserted against his name in the original genealogical table to show that he has been adopted by such person and entered in such and such genealogical table.

(v) If a deceased Biswedari or Zamindar had got more than one wife and his land is equally divided among the widows, then the son of each widow will inherit only the portion falling to her

share and a note to that effect will be given in the square showing the name of the inheriting son.

(vi) If any one acquires any land from the joint property in the life time of his father, his name will be entered on the left side after leaving one square.

(vii) If some one purchases land afresh after the settlement, his name and parentage will be entered in the square at the end.

(viii) In case a Biswedari or Zamindar dies without leaving any legal heir and his wife or mother retains possession till her death, her name will not be entered in a separate square but only a note will be given below the column of the deceased showing her name and possession.

(ix) The squares showing the genealogy and descent from the original land owner to the last successor will also be joined with red lines to show the continuity of the generations one after the other.

153. *Jamabandi (Khewatkhatauni) Form P-26.*—The Jamabandi shall be quadrennial in Form P-26 (of sections 114 and 132 of the Rajasthan Land Revenue Act, 1956). It shall record the names of all persons who are liable to pay Land revenue or rent and who cultivate any land or are in their possession in any other way together with the nature of their tenure and interest in land.

Notes.

Section 113 of the Act requires the preparation of Record of Rights. Sec. 114 describes the contents of Record of Rights as under:—

Sec. 114. The record of rights shall be prepared in such manner as may be prescribed by the State Government and shall consist of the following, namely:—

- (a) a khewat, that is to say, a register of all estate holders in the area under survey and record operations or under record operations, specifying the nature and extent of the interest of each and his co-sharers, mortgagees in possession and persons holding land from him otherwise than as tenants, if any;
- (b) a khatauni, that is to say, a register of all persons cultivating or otherwise holding or occupying land in such area, specifying the particulars required by section 121;
- (c) a register of all persons holding land in such area free of rent or revenue; and
- (d) such other registers as may be prescribed.

Sec. 121 requires following particulars to be stated in Khatauni.

- (a) the nature and class of his tenure as determined in accordance with the provisions of the Rajasthan Land Reforms and Resumption of Jagirs Act, 1952 (Rajasthan Act VI of 1952), and the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955),
- (b) the amount of premium, if any, paid by him for the acquisition of Khatedari rights,
- (c) the date of the khatedari parcha, and the transfers, if any, made by him, together with all the particulars of such transfers,
- (d) the khasra number of each field comprised in his holding and the area thereof,
- (e) the annual rent payable by him,
- (f) any other condition of the tenure whether contained in a written lease or not,

- (g) in the case of a person other than a khatedar tenant, the number of years during which he has held the land then in his possession, and
- (h) such other particulars as may from time to time be prescribed.

Sec. 132 provides for the recording of changes in the Record of Rights either annually or at later intervals. The Jamabandi is required to be prepared in the form of Record of Rights and Annual Registers.

154. *Preparation.*—The preparation of a new Jamabandi, according to the programme sanctioned by the Collector shall be started by the Patwari just after the harvest inspections in Unhalu. He should visit every such village and make on the spot enquiries from the right holders to ascertain any changes that have occurred against the entries made in the last Jamabandi. The method to be adopted by him for recording such changes in connection with the preparation of a new Jamabandi will be to read out to the people concerned the entries in the existing Jamabandi and note the necessary changes on a separate paper to be incorporated in the new Jamabandi later on. All entries which are identical with the entries of the last Jamabandi should be entered in ink while all fresh entries made in addition to the above should be in red ink. Thus the new Jamabandi will be prepared at the end of every fourth year and it shall be completed by the end of September.

155. The Jamabandi shall be prepared in duplicate, that is, the Patwari shall prepare two copies, one of which will be called "Parat Patwar" and shall remain with the Patwari for the ensuing four years, while the other copy shall be known as "Parat Sarkar" which shall be sent to the Tehsil immediately after preparation, duly checked and attested by the Inspector. The Inspector should check the new Jamabandis in the month of August. He should attest all the entries, holding by holding, in the presence of the estate holders and tenants concerned and see that due effect has been given to the mutations on which final orders have been passed by the 15th of June. His attestation should be made on the copy which has to be filed in the Tehsil office. This copy should contain his report stating that he has duly attested it; a list of errors discovered and alterations made being added in the Inspector's own hand-writing. A copy of this report, signed by the Inspector should be attached to the "Parat Patwar" (Patwari's copy) of the Jamabandi. Any alterations that may be found to be necessary should be made at once in red ink by the Inspector in both the copies of the Jamabandi and signed by him. He will be personally responsible to see that the "Parat Patwar" tallies in all respects with the "Parat Sarkar".

156. *Mode of preparation.*—(i) Jamabandis will be prepared every fourth year. They will be prepared for those villages in each year in which the Collector directs that the Jamabandi should be prepared, according to a programme sanctioned by him for each Patwari circle. The Tehsildar will prepare a programme each year in the month of October and send it to the Collector for sanction.

Ordinarily Jamabandis should be prepared annually in one-fourth of the villages in a Patwari circle. They should contain every field entry in full.

(ii) A table should be given to each Inspector showing the arrangements approved for the preparation of Jamabandis for each Patwari's circle in his charge. This table should be so arranged that the work of each year shall cover about one-fourth of the entire circle held in charge of the Inspector.

(iii) It is necessary that ample precautions should be taken in the entries which might be made in the Khasra Girdawari and other papers so as to avoid errors and prevent the Patwaris from tampering with such entries. For this purpose, it should be observed that the instructions contained in this chapter are strictly followed.

(iv) Tehsildars and Naib-Tehsildars must, without neglecting Land Records work in other villages, pay special attention to the villages for which Jamabandis are to be drawn up. All mutations upon which final orders have been passed upto 15th June, should be incorporated in the Jamabandis. Similarly every effort should be made to have all mutations, which have occurred upto that date, entered in the mutation register by the Patwari and attested by that date by the Tehsildar or the Naib-Tehsildar.

(v) The Tehsildar or Naib-Tehsildar, in charge of the circle, in which any village for which a Jamabandi is to be drawn up, is situated, must visit the village in the cold weather before the middle of January and as far as possible should attest all pending mutations. All attestations of mutations during the nine months preceding the drawing up of a Jamabandi must be carried out in the village itself.

157. *Filing of the Jamabandi in the Tehsil.*—The Patwari should file the "Parat Sarkar" of the Jamabandi with the Office Qanungo at the Tehsil in the last week of September positively. During the same month Inspector should, with a view to see that changes sanctioned in the mutations have been properly incorporated, again check the Jamabandi at the Tehsil. He should himself prepare a list of the errors discovered and alterations made at this inspection and sign it. This copy should be handed over to the Patwari who should stitch it into the "Parat Patwar" and should make necessary alterations in the latter accordingly. The Inspector should, during his next visit of the Patwari circle, see that the Patwari has done this and should initial all the alterations made.

158. *Check of detailed Jamabandi by Revenue Officers.*—The Tehsildar or Naib-Tehsildar in charge of the circle in which the village lies, should make a final attestation on the spot and should observe the following instructions:—

(i) At least 25% of the Khatauni (tenants) holdings should be read out on the spot in the presence of the assembled tenants and right holders ;

(ii) At least 25% of the Khewat (estate-holders) holdings should be compared with the old Jamabandi ;

(iii) At least 25% of the Khewat and Khatauni entries in the original copy should be compared with the corresponding entries in the Patwari's copy of the Jamabandi.

(iv) This check must usually be carried out during the cold weather, between the end of Kharif Girdawari and the beginning of the Rabi Girdawari. For this purpose the Revenue Officer should take with him "Parat Sarkar" of the Jamabandi which has been filed in the Tehsil and he should record on this his report of the attestation and a list of mistakes discovered and alterations ordered. The report should specify what and how many entries were attested by personal enquiry from the tenants and right holders and when and where the attestation was made. A copy of the report signed by the Revenue Officer should also be attached to the "Parat Patwar" of the Jamabandi. Any alterations that may be found to be necessary should be made in both the copies of the Jamabandi and initialled by the Revenue Officer under whose orders they are made. When this has been done, the Revenue Officer should fill in two copies of the final attestation certificate in Form P-28 and attach one copy to each of the Jamabandis.

159. *Check by Revenue Officers superior to the Tehsildar.*—

The sub-Divisional Officer should note the result of his attestation on the spot, on the copy of the Jamabandi which would eventually be filed in the District Office and should attach a copy of this note duly signed by him to the "Parat Sarkar" of the Jamabandi. He should initial all alterations made in both the copies of Jamabandi under his orders. The result of such examination of Jamabandis made by such an officer, in the Tehsil, should be entered in the Minute Book of Inspections of the Tehsil and not on the copies of the Jamabandis examined by him.

160. *Appellate Orders.*—When an order is passed in appeal, review or revision after the 15th June, a note in red ink should be made on the original mutation sheet by the Sadar Qanungo, if the Jamabandis are in the Collector's Office or by the Office Qanungo, if the Jamabandis are in the Tehsil Office. The Inspector of the circle will also make a similar note on the Patwari's copy of the mutation. If the Jamabandi entries are not in accordance with the order finally passed on appeal, review or revision, the Patwari should be instructed to enter a mutation by way of correction of the Jamabandi and this mutation will be given effect to when the next new Jamabandi is prepared. No fee will be charged.

161. *Check of Jamabandis by Sadar Qanungo.*—All Jamabandis must reach the Collector's Office by the date on which the

Rabi Girdawari following their preparation ends. On receipt, the Sadar Qanungo should check them and see that all instructions have been complied with. If incomplete, in any respect, they should be returned for such completion.

162. *Arrangement of Holdings*.—The form of Jamabandi (Form P-26) has been designed to fulfil the requirements of both the Zamindari or Biswedari and Rayatwari tenures which are prevailing in the different parts of Rajasthan.

163. *Zamindari or Biswedari Holdings*.—(a) Column 1 has been provided to show the number of Khewat. The Khewat number is the number of the estate holders holdings (Jagirdar's, Sub-Jagirdar's Biswedari's and Zamindar's). The Biswedari and Zamindari holdings are to be arranged in the Jamabandi in the order in which their names are given in the village genealogical tree (Shajra Nasab). Each should be put in the place to which, with reference to the order of ownership, it belongs. A mortgagee in actual possession of the Zamindari or Biswedari land and paying the land revenue should be given a Khewat number and not a Khatauni number.

(b) In case of Jagirdars, they should be arranged alphabetically. The entries about Sub-Jagirdars should be given fractional Khewat numbers, e.g. 25/1, 25/2, 25/3, the numerator showing the Khewat entry of the Jagirdar and the denominator the Khewat of the Sub-Jagirdar subordinate to the Jagirdar. The Sub-Jagirdar's name should appear below the name of the Jagirdar and Sub-Jagirdar's tenure should be noted along with his name.

(c) Column 2 is for the Khatauni number. The Khatauni number is the number of holding (Khata) of the person responsible for the payment of rent and cultivation. All holdings belonging to each Khewat number should be entered in the following order showing:—

- (i) the holding (if any) cultivated by the estate-holder himself (Khudkasht);
- (ii) the holdings of Khatedar tenants;
- (iii) the holdings of Ghair Khatedar tenants.

(d) If a tenant is holding land under one estate-holder, partly in Khatedari and partly as a Ghair Khatedar tenant, the whole may be entered as a single holding, the fields held under each tenure and, if necessary, their rent, being separately detailed. Where there are several tenancy holdings under one estate-holder, the tenants in their several classes should be entered, in alphabetical order.

(e) Column No. 3 has been provided for entries regarding the name of Patti, Thok or Taraf as well as the name of Lambardar, or principal estate-holder.

(f) The names of Pattis, Thoks or Tarafs should be entered in the order in which they appear in the Shajra Nasab, if any. If there is any common land belonging to all the estate-holders of

Patti, Thok or Taraf, it should be entered after the last of the Khewat number contained in it.

164. *Raiyatwari holdings*.—The arrangement of holdings in the Jamabandi under the Raiyatwari tenure, i.e. in areas where there is no intermediary between the tenant and the Government, will be as under:—

- (a) Government Lands (Khata Milkiat Sarkar):—
 - (i) Land available for cultivation:—
 - (a) current fallow or one year fallow;
 - (b) two years old fallow;
 - (c) old fallow;
 - (d) banjar;
 - (e) groves and orchards;
 - (ii) Lands not available for cultivation:—
 - (a) Lands fit only for grazing purposes:—
 - (1) Scrub forest;
 - (2) ravines;
 - (3) hills and mountains;
 - (4) rivers and nullahs;
 - (5) sub-merged under water;
 - (b) Lands not fit for grazing:—
 - (1) dwellings or habitations;
 - (2) cremation grounds;
 - (3) cemeteries;
 - (4) parade grounds;
 - (5) country paths and tracks.
- (b) Khatedar tenants:—
 - (i) tenants paying rents at full or non-concessional rates;
 - (ii) tenants paying rents permanently fixed;
 - (iii) tenants who pay rents at concessional rates.
- (c) Ghair Khatedar tenants.
- (d) Shamlat Deh or uncultivated land held by the village community for grazing or other common objects.
- (e) Lands held by Govt. Departments or public institutions:—
 - (i) Government forests;
 - (ii) farms under the Agriculture Department;
 - (iii) Government gardens under the P. W. D.;
 - (iv) roads;
 - (v) lands held by other Govt. Deptts. or public institutions;
 - (vi) lands under the Railway Department.
- (1) Muafis or other petty grants made by Government will have Khewat entries like Jagirdars. They will be arranged according to their tenures in alphabetical order.

NOTE:—The arrangement of holding under each of the classes mentioned above will be in alphabetical order.

Column 4:—

(1) In this column entries are to be made regarding the names of estate-holders (Jagirdars, Sub-Jagirdars and Biswedars or Zamindars) with particulars. "Particulars" include father's name, caste, residence as well as the nature of tenure on which the land is held.

(2) The name of a mortgagee with possession, i.e., who is responsible for the payment of the land revenue of the mortgaged land, must be shown in this column, after the name and particulars of the estate-holder. The amount of mortgage debt may not be shown.

(3) If any of the recorded estate-holders in a joint holding is out of possession, this fact should be noted and it should also be shown who is in possession of his share. Similarly, if the person in possession, i.e. one who pays the revenue is not the estate-holder, this should be shown clearly. If a sharer in a joint holding sells or mortgages the whole or a definite fraction of his share, the name of the transferee should be shown in this column.

(4) If the person, whose name is entered in the record of rights as an estate-holder, is a minor or a female or is otherwise incapacitated for managing his own affairs, the name of his or her guardian need not be shown, as it is of no consequence here whether the estate-holder is of age or a minor.

NOTE:—While making the entries in this column, the instructions regarding entries in column 5 of the Khasra Girdawari should also, invariably, be kept in view.

Column 5:—

Entries in this column may be made in accordance with the instructions regarding entries to be made in column 6 of the Khasra Girdawari.

Column 6:—

The field or Khasra number is the number given to the field in the village map (Shajra Kistwar) and should correspond with the entries in the Khasra Girdawari; Instructions regarding entries in the corresponding columns of the Khasra Girdawari may also be borne in mind.

Column 7:—

For entry in this column refer to the instructions regarding column 2 of the Khasra Girdawari.

Column 8:—

(i) Reference may be made to the instructions pertaining to the entry of soil class in the Khasra Girdawari.

(ii) The soil description in the Jamabandi is intended to show the permanent method of husbandry applied to each field, and not the condition applicable to any particular harvest or harvests. The soil entry must, therefore, be changed, where, but only where, a permanent change has occurred, for example, by the cultivation of land which was previously current fallow or old fallow or by the conversion of "Barani" land into "Chahi" owing to the sinking

of a new well. Ordinarily, changes, in soil classification, need be made in the year of quadrennial attestation only, but in the case of changes from uncultivated to cultivated land, the change of classification must be made in the next Jamabandi whether this is done after the quadrennial attestation or not. The soil class at settlement should invariably be entered and should be followed by the change in classification.

Column 9:—

The heading of the column is self-explanatory.

Columns 10-11:—

(i) These columns are meant for the entry of rent and other charges payable by a cultivator. In column 10, the details of the various heads under which rent and other charges approved by Govt. are paid by a cultivator, are to be shown along with the rate if any. Against each item in column 10 the amount chargeable should be shown in column 11.

(ii) Where a part of a holding pays at one rate and part at another, it should be seen that areas and other relevant data are given in sufficient detail; similar care should be taken regarding the entry of rents paid on particular crops, viz. "Zabti" or "Bighodi" rents.

(iii) Where no rent is paid by a person in possession (other than the estate-holder, the reason for non-payment of rent is to be briefly explained. If the fact is undisputed as explained above, the entry of no rent, except that of a claim to adverse possession, should not be made. If the fact is that the possession is adverse the entry should be of "Ghair Qabiz". If the fact is that he is a tenant, then, if the rent cannot be ascertained, it should be recorded as doubtful.

Column 12:—

Entries in this column should be made only for holdings coming under the Biswedari or Zamindari tenures.

Columns 13-14:—

Column 13 is for the details of revenue and other charges, while the amount against each item is to be shown in column 14. If the revenue of a holding or estate is assigned as Muafi, Jagir, etc., the relevant entries in columns 13 and 14 are to be made in red ink. The totals for Thoks, Pattis or Tarafs and estates are to be shown in black and in red for assignments, viz., Muafis, Jagirs etc.

Column 15:—

This column is meant for entry of tribute or other Government demand payable by the Jagirdar and his Sub-Jagirdars in non-khalsa areas, viz., Chattoond, Chakri, Rekh, Tankha, Naqdi, Abvab etc.

165. *Lands owned by Government.*—All lands permanently appropriated for Public purposes since the date of the last settlement should be entered thus:—

(i) In the column for estate-holder, "Sarkar".

(ii) In the column of cultivator, the name of the department which holds charge of the land *e.g.*, Agriculture Department, Forest Department, Public Works Department, Municipality etc.

(iii) In lieu of soil entries, state the purpose to which the land is applied, *e.g.* Sarai, Dak Bungalow, camping ground, canal etc.

(iv) Where Nazool or other Government property is vested in a local body, or is otherwise in its possession, such property be described as "Sarkar, Magbuz District Board Falan" or as the case may be. But property acquired by a local body should be shown as owned by that body.

(v) If any land is occupied only temporarily, the names of the estate-holder, if any, and the tenant (if holding the Khatedari), as the case may be, will usually be continued, and the fact of Government possession can be noted in the column for remarks.

Fard Badar.

166. *Orders for the correction of clerical mistakes in Records to be obtained on the Fard Badar.*—(i) Jamabandis' entries should not be varied in subsequent records without first obtaining orders for their variation on mutations entered for this purpose except where the variation merely consists in the removal of a clerical mistake, that is to say, of a mistake which has been made in copying the entries of the Jamabandi into another or incorporating a mutation in a Jamabandi and the correction of which does not involve the alteration of any mutation order. Subject to the exception noted below, orders for the correction of such mistakes in subsequent records should be obtained on the Fard Badar. The Form No. P-27 is prescribed for this purpose.

(ii) Whenever a clerical mistake is detected in the current Jamabandi after it has been finally attested and filed, whether that mistake was originally made in that or any previous Jamabandi, the Patwari should make the necessary entries about it in the first four columns of the Fard Badar. His report in the fourth column should be as brief as possible. For instance, if any field has been omitted by mistake from any holding, the report should merely state that such and such field has been omitted; and if any estate-holder's share has been entered as one-half instead of say one-third, the report should merely state that the share should be one-third and not one-half. The Inspector of Land Records should, from time to time, examine the Fard Badar entries and enter his own report in column 5 of the Fard Badar. His report should also be as brief as possible and when he finds that he has nothing to add to the Patwari's report, he should merely put his signature in this column. In passing orders upon any Fard Badar entry, the Revenue Officer (Tehsildar or Naib-Tehsildar) should see whether it actually relates to a clerical mistake which, under the present instructions, should be dealt with in Fard Badar and if he finds that it relates to such

a mistake, he should record an order for the correction of the mistake in question in column 6. Otherwise he should order that the Fard Badar entry in question should be considered as cancelled. It will not be necessary to hear the parties concerned in connection with the disposal of Fard Badar entries.

(iii) The only clerical mistakes in Jamabandi entries, orders for the correction of which in a subsequent record should not be obtained on the Fard Badar, are those which cannot be conveniently described in the Fard Badar. The difficulty of describing a clerical mistake in the Fard Badar may, for instance, arise where the mistake relates to the share of an owner whose name enters into several different combinations, in the Jamabandi entry relating to the same holding.

(iv) A few blank sheets of the Jamabandi sizes will be stitched to Patwari's copy of each Jamabandi. When the next Jamabandi is prepared a copy of the Fard Badar, attested by the Inspector of Land Records, will be attached to the Jamabandi (Parat Sarkar).

(v) The collector and the Revenue officers should examine Fard Badar from time to time in order to see that the procedure prescribed in connection therewith is properly understood and followed by the subordinate Revenue staff.

167. *Well Statement.*—Well statement will be prepared every fourth year with the quadrennial Jamabandi and the land irrigated by each well in the different years will be entered with the particulars of the year and the crop sown. It will be prepared on the basis of the entries in the Khasra Girdawari. Form No. P-29 is prescribed for this purpose. The columns are self-explanatory. The purpose of this statement is to judge the irrigation capacity of each well and see that the land classed as Chahi from that well is covered by that capacity or not.

168. *Maintenance of the Register of Records in Patwari's custody.*—(i) A register of the records in the custody of Patwari, supplied to Patwaris at Government expense and remaining in their custody, should be maintained by them in Form P-37, but no consolidated copy of it need be kept at the Tehsil nor need it be checked by the Office Qanungo except under special orders of the higher authority.

(ii) In column Nos. 1 and 2 the name and the serial number of the entry of the record should be written respectively and in column 3 the year in which the record was prepared should be shown.

(iii) In column No. 4 the documents of the standing record should be entered first and afterwards the annual records in the order in which they are prepared during a year. Where any record consists of more than one volume this should be stated.

(iv) When any record is filed in the Tehsil, the entries relating to it in columns 2 and 4 should be scored through.

(v) Four blank sheets should be allowed for each village and four sheets should be left at the end of the register for the entries of papers which relate to the whole circle such as, Diary of Events, Order Book, Diary of Work, Manuals etc.

(vi) The Patwari should sign (with date) in column 6 in April of each year as evidence that the records, entered in the register and not scored through are in his possession. The Inspector should check the entries in the same month and sign in column 7 as a proof that he has done so.

(vii) On transfer of charge, both the Patwaris concerned should sign in column 6 in attestation of the fact that the one has handed over and the other has received, all the records entered in the register and should date the entry. A list of the records transferred in charge shall be submitted by both the Patwaris through the Inspector to the Office Qanungo.

169. *Maintenance of the register of Survey equipments and furniture.*—(i) A register of the survey equipment and furniture supplied to Patwaris at Government expense and remaining in their custody should be maintained in Form P-36, by each Patwari and a consolidated copy of the same, with the omission of columns 4 and 5, should be kept by the Office Qanungo. When the Patwaris come to the Tehsil in September for depositing the quadrennial and annual records, they should bring their registers with them and the Office Qanungo should compare them with his copy, note the result of the comparison in the last column of the latter, and make any correction that may be necessary.

(ii) Any loss of survey equipment should be immediately reported by the Inspector to the Tehsildar, who will, if the loss has been due to the Patwari's negligence, order replacement of the equipment by the Patwari concerned, and in other cases report to the Collector for its replacement at Government expense.

(iii) On transfer of charge, the Patwari taking over should attest the entries and sign, with date, in column 5 as token that he has done so. A list of the articles transferred in charge shall be submitted to the Office Qanungo through the Inspector by both the Patwaris.

(iv) In April of each year, the stock of each Patwari should be verified and examined by the Inspector and the condition of the articles duly noted by him in column 4. Inspecting officers should enter brief notes or remarks in column No. 7.

APPENDICES TO PART I
APPENDIX I TO PART I.
Statement showing the Land Measures in Different Units of Rajasthan.

Serial No.	Name of District	Names of former States whose areas are included	Length of chain used for measuring land	Equivalent to an acre	Remarks
1	2	3	4	5	6
1	Jaipur	Jaipur	165'	1 Bigha 12 Biswas.	
2	Tonk	Kishangarh Jaipur Tonk Bundi	132' 165' 165' 132'	2½ Bighas. 1 Bigha 12 Biswas. 1 Bigha 12 Biswas. 2½ Bighas.	
3	Sawai Madhopur	Jaipur Karauli	165' 150'	1 Bigha 12 Biswas. 1 Bigha & 18·18/25 Biswas.	
4	Bharatpur	Bharatpur Dholpur	132' 150'	2½ Bighas. 1 Bigha & 18·18/25 Biswas.	
5	Alwar	Alwar	165'	1 Bigha & 18·18/25 Biswas.	
6	Jhunjhunu	Jaipur	165'	1 Bigha 12 Biswas.	
7	Sikar	Jaipur Jaipur Th. Sikar	165' 165' 165'	1 Bigha 12 Biswas. 1 Bigha 12 Biswas. 1 Bigha 12 Biswas.	
8	Jodhpur	Th. Sikar	110'	1 Bigha 12 Biswas.	
9	Barmer	Jodhpur	132'	3 Bighas 12 Biswas.	
10	Jalore	Jodhpur Jodhpur	132' 132'	2½ Bighas. —do— —do—	

1	2	3	4	5	6
11	Pali	Jodhpur	132'	2½ Bighas.	
12	Nagaur	Jodhpur	132'	-do-	
13	Jaisalmer	Jaisalmer	132'	-do-	
14	Sirohi	Sirohi	132'	-do-	
15	Bikaner	Bikaner (Khalsa)	127½'	2 Bighas	13½ Bighas.
		Bikaner (Jagir)	165'	1	12 Bighas.
16	Churu	Bikaner (Khalsa)	127½'	2	13½ Bighas.
		Bikaner (Jagir)	165'	1	12 Bighas.
17	Ganganagar	Bikaner (Khalsa)	165'	1	12 Bighas.
		Bikaner (Jagir)	127½'	2	13½ Bighas.
18	Udaipur	Udaipur	132'	2½	
			152½'	1	17½ Bighas.
			165'	1	12 Bighas.
19	Dungarpur	Dungarpur	132'	2½	
20	Banswara	Banswara	132'	2½	
21	Chittor	Udaipur	152½'	1	17½ Bighas.
		Tonk	165'	1	12 Bighas.
		Pratapgarh	150'	1	& 18·18/25 Bighas
22	Bhilwara	Udaipur	152½'	1	17½ Bighas.
		Shahpura	132'	2½	
23	Kotah	Kotah	132'	2½	
		Tonk	165'	1	12 Bighas.
24	Bundi	Bundi	132'	2½	
25	Jhalawar	Jhalawar	132'	2½	
		Tonk	165'	1	12 Bighas.

N.B.--One chain × One chain is equal to one Bigha.

APPENDIX II TO PART I.

Table showing the rates of Mutation fee

Biswedari Area:—

(i) Succession

31 Naye Paise on the Land Revenue upto Rs. 5/-
 50 " " " " " " 32/-

2 Naye Paise per rupee on the Land Revenue more
 than Rs. 32/-

(ii) Mortgage, Sale, Gift,
 Transfer, Exchange,
 Abandonment, Partition
 Patta, Ghair Qabiz,
 Removal or resumption
 of Mortgage & Miscel-
 laneous mortgages.

62 Naye Paise on every holding
 on the Land Revenue upto
 Rs. 5/-

Rs. 1/- on every holding on the
 Land Revenue exceeding
 Rs. 5/- but not exceeding
 Rs. 21.33

5 Naye Paise per rupee on the
 Land Revenue per holding
 more than Rs. 21.33

(iii) Correction of entries
 and mutations in the
 interest of Government.

No fee.

(iv) Registered Deeds or by
 orders of Courts.

62 Naye Paise per holding.

Rayatwari Area:—

(i) Succession.

2 Naye Paise per rupee but not
 less than 50 Naye Paise per
 holding.

(ii) Mortgage, sale and
 redemption of a mort-
 gage.

50% of the land revenue.

(iii) All mutations regarding
 Khatedari Rights.

One year's Land Revenue and
 where Land Revenue is not
 assessed according to the
 calculations of the highest rate
 of the village in the case of
 Nautor etc.

(iv) Corrections of entries
 & mutations on behalf,
 of Government.

No fee.

(v) Registered Deeds or by
 order of Courts.

62 Naye Paise per holding.

APPENDIX III TO PART I.

Yearly Programme of the work of a Patwari.

Month	Work to be done	Remarks
1	2	3
October....	<ol style="list-style-type: none"> Will post to the Inspector of Land Records, monthly abstract of daily diary and abstracts of deaths and births and cattle diseases report on the first of each month. Will send abstract of live-stock, poultry, agricultural implements and machinery etc. to the Office Qanungo on 1st Oct. each year. Will do Kharif Harvest inspection work and make its entry in the Khasra Girdawari. Will enter in his Diary of Events, list of all field numbers in which any change of cultivating possession or rent has occurred. Will enter in his Diary of Events all alterations regarding entries made in the Khasra Girdawari. At the end of each day's work, he will total the pages of Khasra Girdawari completed. Will complete crop abstracts (Jinswars) before the commencement of his work in the second village and will send them to Office Qanungo through the Inspector after having entered them in his Jinswar Registers. Will note condition of trigonometrical survey pillars in his Khasra Girdawari; will send report about all such pillars to the Tehsildar through his Inspector. He will also note the condition of trigonometrical pillars and other survey and boundary marks in his register of Fard Tuda Sahadda during harvest inspections and will submit reports about those in need of repairs. 	

November	<p>10. Will make corrections in the Parat Patwar of the quadrennial Jamabandi in accordance with the copy of Fard Partal supplied to him by the Inspector in September.</p> <p>1. Will prepare the Banchh papers (Dhal Banchh and demand slips) and will hand over the demand slips to the pyees.</p> <p>2. Will write up the mutations discovered in the course of the Kharif Girdawari.</p> <p>3. Will undertake amendments of the field maps or re-measurements that may be necessary.</p> <p>4. In the fluctuating assessment villages or ohaks he will prepare the Khasra Nautor and Jamabandi for fluctuating assessment before preparing the Banchh and mutation papers.</p> <p>5. Will compare entries in Khasra Girdawari with the Khasra Nehri prepared by the Irrigation Patwari.</p>
December .	<p>1. Will do work mentioned in Nos. 3 & 4 above.</p> <p>2. He will do harvest inspection of extra Kharif crops, if any, such as Toria, Shaljams, Singaras etc.</p> <p>3. Will assist Lambardars in the collection of revenue and prepare the receipts etc.</p>
January .	<p>1. Will do work mentioned in Nos. 3 & 4 under November, and prepare files of alluvial & diluvial areas.</p> <p>2. Will visit each estate for which a quadrennial Jamabandi is to be prepared.</p> <p>3. Will enter up the mutations that have come to light as a result of preliminary attestation.</p> <p>4. Will do the work mentioned in No. 4 above under October.</p>
February .	<p>1. Will do the work of alluvion and diluvian, if any.</p> <p>2. Preparation of Shajra Latha.</p>
March .	<p>1. In this month Patwari will do Rabi Girdawari and all other work detailed to be done in October during the Kharif Girdawari except No. 8.</p>

April	<ol style="list-style-type: none"> 2. Will pay special attention to the entering up of mutations of the villages under quadrennial attestation. 1. Will compare the records with the register in his custody and will sign in column 6. 2. Will compare his Khasra Girdawari with that of the canal Patwari. 3. Will write up the Mutation Registers. 4. Will correct the Banchh papers to make them agree with the events that have occurred since their preparation. 5. Will make corrections in soil classification in villages the quadrennial attestation whereof is to take place. 6. Will commence extra Rabi Girdawari after 15th April. 7. Will make amendments in the field maps and do the measurement of the fields in which further changes were brought to light in Rabi Girdawari.
May.	<ol style="list-style-type: none"> 1. Will finish extra Rabi Girdawari and send its crop abstracts (Jinswara) to the Office Qanungo, through the Inspector. 2. Will prepare the Grain Rent Ledger (Register Bahi Khata Jins.) 3. Will assist the Lambardars in the collections of the revenue in kind or cash.
June.	<ol style="list-style-type: none"> 1. Will do work mentioned in No. 3 above. 2. Will prepare statements, which are prepared annually for every village such as Milan Khasra etc. 3. After 15th June will commence writing of Jamabandis of villages under quadrennial attestation, and copies thereof.
July & Aug.	<ol style="list-style-type: none"> 1. Will write quadrennial Jamabandis and copies thereof. 2. Will renew the village map (Shajra Latha) if necessary. 3. Will prepare lists of attested mutations and send them to the Tehsil. 4. Will write the quadrennial well statement and stitch it along with the Jamabandi.
September.	<ol style="list-style-type: none"> 1. Will file Jamabandis and corrected statements with the Office Qanungo.

September
(Contd.)

2. Will incorporate Titamma Shajras in their maps and in those kept in the Tehsil under the supervision of their Inspectors.
 3. Will bring with him all Khasras Girdawari, diaries, work books of fluctuating assessment, Jamabandis that are to be filed and Dhal Banohh, demand slips, receipts, Arz-Irsal, register of live-stock, poultry and agricultural implements and machinery, register of deaths and births etc., which will be deposited with the Tehsil Office Qanungo. He will get the signature of Office Qanungo in column 5 of the register of records.
 4. Will get the annual supply of forms from the Office Qanungo.
 5. Will bring with him the register of survey equipments for comparison with that of the Office Qanungo.
 6. Will prepare a list of mutation fees.
 7. Will prepare new Khasra Girdawari of the villages of which Jamabandis have been filed.
 8. Will prepare a list of fees charged in copying and inspections of Patwari's record and hand it over to the Revenue Accountant through his Inspector.
-

Form No P-1.
(See Para 4)

Register of candidates for the post of Patwari in Tehsil.....District.....Rajasthan.
(N.B.:—This register will be kept in the Collectorate, Land Records Office).

Serial No. of entry	Date of entry	Name, Father's name, caste and residence of the candidate	Date of birth	Where educated, wt at examinations passed, and date of passing, also copy of any details given in the certificate	Profession of the candidate's father, particulars of land owned by his family and of offices held by them under Government	Physical fitness of the candidate specially as regards eyesight	Whether the candidate is related to any Patwari or Qanungo holding office at the date of entry
1	2	3	4	5	6	7	8

Details of any office held by the candidate on or before the date of entry	Signature of Officer directing entry to be made	Date of passing Patwar examination with copy of details entered in the certificate	Name of officiating or other appointments held by candidate from time to time after date of entry of his name	Final result i.e., substantive appointment or cancellation of entry of his name	Signature of officer by whose order the previous column is finally filled up	Remarks.
9	10	11	12	13	14	15

(See Para 55)

Tehsil.....District.....Rajasthan,
year.....

[illegible]

Form No. P-3. (COUNTERFOIL)

(See Para 56)

Monthly Abstract of Daily Diary of Work, Patwari Circle

No.....Inspector.....Tehsil.....

District.....Rajasthan for the month.....

No.	S.No.	Details of work	Amount of work done	Daily average	No. of days spent	Remarks
1	2	3	4	5	6	7
A	1	CROP INSPECTION.— Total No. of villages finished, in hand and balance ...				
	2	Survey ...				
	3	Cattle Census ...				
	4	MUTATIONS.— Arrear of last month, insti- tution, attested, balance ...				
	5	JAMABANDI.— No. of Jamabandi finished, in hand, balance ...				
	6	Dhal Banchh ...				
	7	Demand slips ...				
	8	Collections with amount & No. of receipts issued ...				
	9	Other (Miscellaneous) work.				
	10	Total days spent. At the headquarter, in the circle, outside the circle ...				
	11	Gazetted holidays ...				
	12	Days spent on leave ...				
	13	Total ...				
	14	Grand Total ...				

Brief Abstract by villages

Serial No.	Village	Details of work done			Remarks
		Nature	Completed	Balance	

Form No. P-3. (Continued)

(FOIL)

(See Para 56)

Monthly Abstract of Daily Dairy of Work, Patwari Circle

No.....Inspector.....Tehsil.....

District.....Rajasthan for the month.....

No.	S.No.	Details of work	Amount of Daily work done average		No. of days spent	Remark
1	2	3	4	5	6	7
A	1	CROP INSPECTION.— Total No. of villages finished, in hand and balance ...				
	2	Survey ...				
	3	Cattle Census ...				
	4	MUTATIONS.— Arrear of last month, insti- tution, attested, Balance ...				
	5	JAMABANDI.— No. of Jamabandi finished, in hand, balance ...				
	6	Dhal Banchh ...				
	7	Demand slips ...				
	8	Collections with amount & No. of receipts issued ...				
	9	Other (Miscellaneous) work.				
	10	Total days spent. At the headquarter, in the circle, Outside the circle ...				
	11	Gazetted holidays ...				
	12	Days spent on leave ...				
	13	Total ... ffi				
	14	Grand Total. ...				

Brief Abstract by villages

Serial No.	Village	Details of work done			Remarks.
		Nature	Completed	Balance	

Form No. P-4.

Diary of events (See Para 51)

Patwari Circle.....No.....Inspector.....

..... Tehsil.....District..... Rajasthan for the year.....

Date	Village	S. No. of event (to be Continued throughout the year)	Details of events
1	2	3	4

Form No. P-5.

(See Para 49)

Order Book

Patwari.....Circle.....Tehsil.....

District.....

Serial No.	No. & date of order	Name of Office issuing the order	Copy of the order	Signature of Office Qanungo with date	Remarks (Reference to No. and date of order under which it is cancelled or amended)
1	2	3	4	5	6

Form No. P-6. Omitted

Form No. P-7. Omitted

Form No. P-8.

(See Para 25)

Report of Patwari regarding Calamity in the Village.....
 In Circle.....Tehsil.....District.....Year.....

Name of village	Name of Calamity	Details of Calamity	Date of outbreak	Condition in the fortnight	Remarks
1	2	3	4	5	6

Form No. P-9.

(See Para 42)

Report of Cholera and Plague etc.....Tehsil.....
 District.....

Name of village	Disease suspected	Date of first outbreak	Seizures and death on first outbreak		Seizures and deaths during last week		Total seizures and death		Have copies of reports been sent to Tehsil & Medical Officer	Has a Medical Officer visited the village since the outbreak. (Give date and name of the officer)
			S.	D.	S.	D.	S.	D.		
1	2	3	4	5	6	7	8	9	10	11

Form No. P-10.

(See Para 42)

Form of Report on Postcard showing Disease Among Live-stock.

The Veterinary Assistant of.....Tehsil..... is hereby informed that contagious disease among.....exists in Village.... Tehsil.....District.....the name of the disease is.....and upto the present.....animals have died and.....animals are now affected.

Dated.....Patwari.

Post Office.....Circle

To

The Veterinary Assistant

Incharge Veterinary Hospital.....

Tehsil.....District.....

Form No. P-11

(See Para 42)

Fortnightly Report regarding Contagious Disease among Live-stock in Village.....in Circle.....for the Fortnight ending

Name of District	Name of Tehsil	Name of Village	Name of disease	Number attacked in the fortnight			
				Bullocks	Cows	Buffaloes	Others
1	2	3	4	5	6	7	8

Number died in the fortnight				REMARKS
Bullocks	Cows	Buffaloes	Others	
9	10	11	12	

Dated.....Patwari

ToCircle

The Veterinary Assistant,

Incharge Veterinary Hospital,

Tehsil.....District

Form No. 12. (Contd.)

CAMELS				POULTRY					
Males	Females	Young Stock	Total	Pigs	Total Live-stock	Fowls (Hens, Cocks and Chickens)	Ducks (Ducks, drakes & ducklings)	Others	Total Poultry
35	36	37	38	39	40	41	42	43	44

AGRICULTURAL MACHINERY AND IMPLEMENTS

Ploughs		Sugarcane crushers				Tractors	Oil Engines (Agricultural)	Pumps	
Wooden	Iron	Carts	Bullocks	Power	Ghanies			Oil Engine	Electric motors
45	46	47	48	49	50	51	52	53	54

No. of heads or units for charging grazing dues with rate	Amount of grazing dues	Serial No. of Jama-bandi and Dhal Banchh	Remarks
55	56	57	58

Form No. P-13.

(See Para 64)

Khasra Girdawari (Quadrennial) Village Tehsil.....
 District... .. Rajasthan for the year St. 200 to 200 .

Entries According to the Quadrennial Jamabandi

No. of field with name		Area	Soil Class	No. of Jamabandi (Khe wat K h a t a u n i) with name of Thok or Taraf or Patti	Name of Estate-holder (Jagirdar, Sub-Jagirdas, Malguzar, Bisweddar or Zamindar) with nature of tenure	Name of Tenant with particulars and term of cultivation	Name of Sub- Tenant with particulars and term of cultivation	Rent with rate Sub-Rent	Sources of Irriga- tion with method
1	2	3	4	5	6	7	8	9	10

Details of crop with area				Area cropped more than once and net area sown during the year		Detail of uncultivated area	Remarks and changes of rights, possession, rents and revenue etc.	Details of crop with area			
Kharif		Rabi Zaid						Kharif		Rabi Zaid	
Irrigated	Un-irrigated	Irrigated	Un-irrigated	Irrigated	Un-irrigated			Irrigated	Un-irrigated	Irrigated	Un-irrigated
9	10	11	12	13	14	15	16	17	18	19	20

Area cropped more than once and not area sown during the year		Details of uncultivated area		Details of crop with area				Area cropped more than once and not area sown during the year		Details of uncultivated area		Remarks and changes of rights, Possession, Rents and Revenue etc.	
Irrigated	Un-irrigated			Kharif		Rabi Zaid		Irrigated	Un-irrigated				
				Irrigated	Un-irrigated	Irrigated	Un-irrigated						
21	22	23	24	25	26	27	28	29	30	31	32		

Form No. P-13-(Contd).

S a m b a t 20

Details of crop with — area				Area cropped more than once and net area sown during the year		Details of unutilized area	Remarks and changes of rights, possessions, Rent and Revenue etc.	Remarks
Kharif		Rabi Zaid		Irrigated	Un- irrigated			
Irrigated	Un- irrigated	Irrigated	Un- irrigated					
33	34	35	36	37	38	39	40	41

Form No. P-13A.

[See Para 64 (iii)]

Girdawari Slip.

Sambat . . . Harvest

Village.....Tehsil . . . District...

No. of Khasra	Area	Name of Khatedar	Name of sub-tenant if any, who cul- tivated	Remarks and signature of Patwari with date
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CROP.....

Form No P-14.

(See Para 89)

Khasra Nautor and Ghair Mustaqil Kasht Sambat year 200
 Village Tehsil District.....Rajasthan.

No. of Khasra out of which the plot is cultivated	New Khasra No.	Estate-holder (Jagirdar Sub-Jagirdar Owner)	Cultivator	Crop
1	2	3	4	5

Measurements				Area	Class of Soil	Revenue or Rent		No. of Ja- mabandi for fluctua- ting assess- ment or Ghair Mu- staqil Kasht	Remarks
East	West	North	South			Rate	Amount		
6	7	8	9	10	11	12	13	14	15

Form No. P-15

(See Para 91)

List of Boundary and Survey Marks Village..... Rajasthan.
Tehsil.....District.....

Tehsil..... District..... Rajasthan.

Serial No.	Description of marks with No. (if any) and names of conterminous villages	Khasra No.of field in or on the boundary of which the mark is situated	Condition of Marks with date of Inspection								Remarks	
			Year		Year		Year		Year			
			Date of ins- pection	Condition of marks	Date of ins- pection	Condition of marks	Date of ins- pection	Condition of marks	Date of ins- pection	Condition of marks		
1	2	3	4	5	6	7	8	9	10	11	12	

Form No. P-16.

(See Para 99)

Statement of Jinswar Kharif Village.....Tehsil.....

District.....Rajasthan for the year

Page No. & soil class	Cereals and Pulses									
	Rice		Maize		Jowar		Bajra		Jowar mixed with	
									moong	
	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
1	2	3	4	5	6	7	8	9	10	11

Bajra mixed with Moth		Mandwa, Muri Kani, Barti		Moth		Urd		Moong		Chola		arhar	
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
12	13	14	15	16	17	18	19	20	21	22	23	24	25

Oil seeds								Sugarcane	Condiments and Spices				
Til		Ground-nut		Castor Seed					Chillies		Spices		
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated		Irrigated	Unirrigated	Irrigated	Unirrigated	
26	27	28	29	30	31	32	33	34	35	36	37	38	39

Form No- P-16 (Contd.)

Dyes				Fibers					
Indigo				Cotton		Hemp			
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
40	41	42	43	44	45	46	47	48	49

Drugs and Narcotics				Fodder					
Tobacco		Poppy		Gc war		Fodder			
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
50	51	52	53	54	55	56	57	58	59
								60	61

Fruits and Vegetables				Total area sown		Total area matured		Remarks
Potatoes								
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	
62	63	64	65	66	67	68	69	70

Form No. P-17.

(See Para 99)

Jinswar Rabi village Tehsil Distriot Rajasthan
for the year.....

Page No. of Khasra and soil class	Cercal and pulses																
	Wheat		Barley		Gram		Wheat & Barley		Wheat & Gram		Barley & Gram		Masur				
	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Oil seeds								Condiments and spices						Drugs and Narcotics			
Lin-seed		Rape seed		Mustard				Dhania		Zeera						Poppy	
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
Drugs & Narcotics		Fruits & Vegetables & root crops				Fodder						Total area sown		Total area matured		Remarks	
		Potatoes				Carrot		Lucerne									
Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated		
36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	

Form P-18.
(See Para 99)

Naksha Jinswar Zaid Rabi village Tehsil District Rajasthan for year

Page No. of Khastara and soil Class		Melons	China etc.	Vegetable & Garden crop	Pepper and other spices	Other Food crop	Total Food crop	Tobacco	Fodder Jowar
1	2	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Irrigated	Unirrigated	Irrigated
	3	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Unirrigated	Irrigated	Unirrigated
	4								
	5								
	6								
	7								
	8								
	9								
	10								
	11								
	12								
	13								
	14								
	15								
	16								
	17								

Fodder Maize Fodder Bazra		Total area sown		Total area matured		Area sown more than once		Remarks
18	19	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated	Irrigated	Unirrigated
	20							
	21							
	22							
	23							
	24							
	25							
	26							
	27							
	28							
	29							
	30							
	31							
	32							

Fcm P-19.

(See 'Para 149)

Statement of Milan Khasra VillageTehsil.....
District...Rajasthan, for the year 20.....

[illegible]

Form P-19. (Contd.)

Salabi or Dehri	Unirrigated				Total area sown			Area sown more than once				New Cultivation	
	Tank	In Govt. tanks	In private tanks or Bunded fields	River beds	Barani	Total unirrigated		Irrigated	Unirrigated	Net area sown		Irrigated	Unirrigated
27	28	29	30	31	32	33	34	35	36	37	38		

Wells				Tanks for irrigation				Tanks for bed cultivation only	Remarks	
In use		Out of use		Government		Private				
39	40	41	42	43	44	45	46	47	48	49
Tube wells	Old wells	Wells newly brought into use during the year	Fallen out of use in the year	Other out of use wells	In use	Out of use	In use	Out of use		

Form No. P-21.
(See Para 119)

Register of Mutations of Village _____ Tehsil _____ District _____ Rajasthan _____

Serial number of entry	Entry in last Jamabandi (or Khewat Khatauni) proposed to be corrected						New entry proposed to be substituted						Revenue or rent	Nature and date of transfer with price in case of sale & amount of mortgage or mortgage or redemption	Mutation fee due	Report and orders
	No. of holding in last Jamabandi	Name of Thok or Patti or Taraf	Estate-holder, (Jagirdar & Malguzar or Biswedar, Zamindar) with particulars	Cultivators with particulars	Details of fields, areas and soils	Revenue of rent	No, of holding in new Jamabandi	Name of Thok or Patti or Taraf	Estate-holder (Jagirdar, Sub-Jagirdar & Malguzar & Biswedar, Zamindar) with particulars	Cultivators with particulars	Details of fields, areas and soils					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	

Note:— Will be supplied in book forms in to parts,—counterfoil and foil,

Form No. P-22.
(See Para 140)

Interrogatory in the name of ... son of		caste		Village		Tehsil		District		Rajasthan.	
Name of village with District		Mutation Number		Brief account of the transfer showing the name of the transferor and transferee, the total area of the land transferred, the nature and date of transfer and consideration money, etc., etc.		Questions with date and signature of Patwari and Inspector of Land Records		Answers with date and signature of persons giving statement as well as the person identifying (Lambardar) and that of official recording the statement		Orders as to compliance with the interrogatory	
1		2		3		4		5		6	
										7	

Form P-23.

(See Para 144)

Statement of demand on account of mutation fees for the year ... Kharif 20 and Rabi 20
 Number of Patwari's Circle ... Tehsil District Rajasthan.

Name and number of village	Name and Khata Number of the Estate-holder or tenant from whom fee is due	Total Mutation fee due from each estate or Khata	Deduct Patwari's share	Deduct Inspector of Land Records share	Balance to be credited to Government with first Kharif installment of land revenue	Remarks
1	2	3	4	5	6	7

Form No. P-24.

(See Para 150)

Genealogical Tree (Shajra Nasab) of Estate-holders Village.....Tehsil.....District.....

Rajasthan Topographical No. () Nature of village.

Particulars of Estate-holders

References

S. No. Details

Marks

1. Lambardar

Red Borders

A. Basis of acquiring rights and description of original division of land

2. Without Heir

3. Deserter or without possession

4. Female

B. Origin of the village and its name

5. Daughter

6. Whose father or grandfather is alive

In Red

7. Estate-holders at the time of Settlement

Green Borders

C. System of Revenue Collection in the past and at present.

Name of Thok, Patti or Taraf.

Caste with sub-caste.

Genealogical Tree.

S. No. of Estate-holder.

No. of Khewat.

Nature and extent of interest.

Arb.

Revenue

Form No. P-25.

(See Para 103)

Jamabandi for fluctuating assessment Village.....Tehsil.....
District Rajasthan for the year.....

No. of Khewat	No. of Khatauni	Name of Patti and well	Estate-holder with particulars	Cultivator with particulars and term of cultivation	Khasra Number	Area	Uncultivated area	Cultivated area with crop	Deduction of unmatured area	Matured area
1	2	3	4	5	6	7	8	9	10	11

Soil class	Rate	Amount	Water rate			Cesses & other dues		Total amount	Number of Dhal Banchh	Remarks
			Area	Rate	Amount	D tails with rate	Amount			
12	13	14	15	16	17	18	19	20	21	22

Form No. P-26.

(See Para 153)

Jamabandi (Khewat Khatauni) Village.....Tehsil.....
District Rajasthan St. 20 to 20

No. of Khewat or Jamabandi	Number of Khat- auni	Name of Patti Thok or Taraf with name of Lambardar with tribute and revenue	Estate-holder (Jagirdar, Sub- Jagirdar and Malguzar Biswedat or Zamindar) with particulars	Cultivator with particulars and term of cultivation	Khasra numbers	Area	Soil class	Sources of irriga- tion
1	2	3	4	5	6	7	8	9

Rent and other charges paid by cultivators		Share or measure of right and rule of Banchh	Revenue and other charges paid by Proprietors		Tribute and other Govt. demand paid by Jagirdars	Remarks
Details with rate	Amount		Details	Amount		
10	11	12	13	14	15	16

Form No. P-27.
(See Para 166)
Farad Badar Village.....Tehsil.....District.....Rajasthan.

Sl. No.	No. of holding in the last Jama-bandi	No. of holding in the new Jama-bandi	Patwari's report	Inspector's report	Orders of the attesting Officer
1	2	3	4	5	6

Form No. P-28.
(See Para 158)

Final Attestation of Jamabandi for the Year...to....Village....Tehsil.....District.....Rajasthan

Date of attestation	Place of attestation	Khatas attested	Verification of mutation orders incorporated in Jamabandi	Khatas checked with the previous Jamabandi	Khatas compared with Patwaris current copy of Jamabandi	Khasra No. of Titamas checked	Mutation entered but not attested before 15th June	Remarks
1	2	3	4	5	6	7	8	9

I certify that all necessary correction have been made and that this Jamabandi is correct and complete in all respects, except as regards mutations shown in column 8 and other transfers discovered to have taken place before 15th June last and referred to in the memorandum attached to the Jamabandi.

Dated.....195

Tehsildar.

Form No. P-29.
(See Para 167)

Well Statement Village.....Tehsil.....DistrictRajasthan.

Serial No.	Khasra No. of well with name		No. of Jamabandi (Khevat Khatauni)	Owner of the well with particulars		Cultivator with particulars & tenures	Field Nos. irrigated by the well	Area	Soil class	Depth of well			
	1	2	3	4	5					6	7	8	9	10
										Upto water	Under water		

Whether water is sweet or brackish	Particulars of the well			Year.....						
	No. of Laos, Rahts Mal etc.	Masonry, partly masonry or earthen	Condition	Crop with area and No. of waterings				Area cropped more than once		
				Crop ^f	Irrigated	Unirri- gated	Irrigated	Unirrigated		
11	12	13	14	15	16	17	18	19		

Year.....		Year.....									
Crop with area and No. of waterings		Area cropped more than once		Crop with area and No. of waterings		Area cropped more than once					
Crop	Irrigated	Unirrigated	Irrigated	Unirrigated	Crop	Irrigated	Unirrigated	Irrigated	Unirrigated	Remarks	
20	21	22	23	24	25	26	27	28	29		
Year.....											

Crop with area and No. of waterings		Area cropped more than once		Remarks	
Crop	Irrigated	Unirrigated	Irrigated	Unirrigated	
30	31	32	33	34	35

Dhal Banchh Village... Tehsil..... District Rajasthan.

Serial No.	Name of estate-holder (Jagirdar, Sub-jagir, Malguzar or Biswedar or Zamindar) and tenant	Reference of Khata Jamabandi with details of share if any	Demand								Net amount after deduction of Malkhanna
			Arrears	Amount	Current Revenue or rent		Other Charges		Total		
					Area with rate	Amount	Details with rate	Amount			
1		3	4	5	6	7	8	9	10	11	

Malba and Lambardari dues	Remission		No. and date of entry in Siyaha	Collections							Arrears					Remarks
	Details	Amount		Arrears	Current Revenue or rent	Other charges	Total Collections	Malba and Lambardari dues	Past arrears	Current Revenue or rent	Other Charges	Total arrears	Malba and Lambardari dues			
12	13	14	15	16	17	18	19	20	21	22	23	24	25	26		

Form No. P-31

(See Para 107)

Demand Slip Village.....Tehsil.....
 District.....Rajasthan for
 the Year.....
 (Foil)

No. of Dhal Banebh	Name of estate-holder or tenant	Demand			
		Amount	Arrears with details	Other charges	Total amount
1	2	3	4	5	6

Form No. P-31

(See Para 107)

Demand Slip Village.....Tehsil.....
 District.....Rajasthan for
 the Year.....
 (Counterfoil)

No. of Dhal Banebh	Name of estate-holder or tenant	Demand			
		Amount	Arrears with details	Other charges	Total amount
1	2	3	4	5	6

Form No. P 32
(See Para 109)

Siyaha Village Tehsil..... District..... Rajasthan for the Year

Serial No.	Date of remittance with No. of receipts issued.	No. of Dhal Branch	Name of Depositor	COLLECTIONS										Total amount collected Cols. 11, 12, 13
				Arrears		Land revenue rent or other similar demand for current crop and year	Irrigation dues	Item	Amount	Amount collected from Cols. 6,7,8, and 10	12	13		
				Year with item	Amount									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	

Signature of Lambardar receiving the amount	DETAIL OF REMITTANCE IN TEHSIL TREASURY										OTHER REMITTANCE			Remarks
	15	16 No. of Arz-Irsal	17 Arrears	18 Land revenue or rent or other similar demand for the current crop and year	19 Irrigation charges	20 Other charges	21 Total	22 Item	23 Amount	Signature				

Form No. P-33.
(See Para 116)
(TRIPPLICATE)

Book No. Page No.
Receipt No.
Name of Landholder
Received from tenant (Name and
Father's name)
of Village Thok
Patti as follows:—

Date	By whom paid (description)	Description of tenant's holding	Qist and year	Whether on a/c of rent or of sayar	Whether in full or in part payment	Amount received	Rs. nP.

Form No. P-33.
(See Para 116)
(DUPLICATE)

Book No. Page No.
Receipt No.
Name Landholder
Received from tenant (Name and
Father's name)
of Village Thok
Patti as follows:—

Date	By whom paid (description)	Description of tenant's holding	Qist and year	Whether on a/c of rent or payment	Whether in full or in part payment	Amount received	Rs. nP.

Form No. P-33
(See Para 116)
(COUNTER FOIL)

Book No. Page No.
Receipt No.
Name of Landholder
Received from tenant (Name and
Father's name)
of Village Thok
Patti as follows:—

Date	By whom paid (description)	Description of tenant's holding	Qist and year	Whether on a/c of rent or of sayar	Whether in full or in part payment	Amount received	Rs. nP.

Acknowledgment
of Receipt. Signature of
the Patwari.

<p>1. GOVERNMENT OF RAJASTHAN Form No. P-34. (See Para 117) (First copy) CASH CHALLAN (ARZ-IRSAL) REVENUE DEPARTMENT Village .. Tehsil.....Dist. Year.....Crop Book No..... Major head— VII Land Revenue-Arz Irsal No. ...</p>	<p>1. GOVERNMENT OF RAJASTHAN Form No. P-34. (See Para 117) (Second copy) CASH CHALLAN (ARZ-IRSAL) REVENUE DEPARTMENT Village Tehsil . Dist.... .. Year Crop.....Book No..... Major head— VII Land Revenue Arz-Irsal No ...</p>	<p>1. GOVERNMENT OF RAJASTHAN Form No. P-34. (See Para 117) (Third copy) CASH CHALLAN (ARZ-IRSAL) REVENUE DEPARTMENT Village..... TehsilDist. Year..... Crop Book No..... Major head— VII Land Revenue Arz-Irsal No. ...</p>																																																																																																																																	
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<i>Entries to be made in the Sub-Treasury.</i>	<i>Entries to be made in the Sub-Treasury.</i>	<i>Entries to be made in the Sub-Treasury.</i>
1. Date of receipt 2. No. of entry in Cash Book 3. Signature of Account 4. Amount received Rs. 5. Signature of Cashier Signature of Tehsildar/Naib-Tehsildar	1. Date of receipt 2. No. of entry in Cash Book 3. Signature of Account 4. Amount of received Rs. 5. Signature of Cashier Signature of Tehsildar/Naib-Tehsildar	1. Date of receipt 2. No. of entry in Cash Book 3. Signature of Account 4. Amount received Rs. 5. Signature of Cashier Signature of Tehsildar/Naib-Tehsildar
<i>For Banking Treasuries/Sub-Treasuries Order to the Bank.</i>	<i>For Banking Treasuries/Sub-Treasuries Order to the Bank.</i>	<i>For Banking Treasuries/Sub-Treasuries Order to the Bank.</i>
Please receive rupees..... (both in words and figures)	Please receive rupees (both in words and figures)	Please receive rupees (both in words and figures)
Treasury/Sub-Treasury Officer.	Treasury/Sub-Treasury Officer.	Treasury/Sub-Treasury Officer.
Received Rs.	Received Rs.	Received Rs.
Bank Seal. Bank Manager.	Bank Seal. Bank Manager.	Bank Seal. Bank Manager.

Form No. P-35.
(See Para 28)

Register showing the Amount of Fee realised for Grant of Certified Extracts from the Patwaris Records.

S. No. as given in the Patwaris' Diary	Name of village	Date of application	Name of applicant	Nature of paper of which copy is desired	Date on which copy handed over	Details of the copy supplied	Rate of fee charged	Amount of fee charged	Signature of the applicant	Signature of Patwari	Signature of Qanungo	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

Form No. P-36.
(See Para 158)

Register showing Survey Equipment and Furniture in charge of Patwari of Circle.. Tehsil .. District Rajasthan.

No.	Article	Origin of receipt	Date of supply	Condition In April										Orders for removal from the register with date	Remarks	
				1953	1954	1955	1956	1957	1958	1959	1960	1961	1962			Signature of Patwari responsible for its custody
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Form No. P-37
(See Para 168)

Register of Records in the Custody of Patwari of Circle... .. Tehsil..... Distt..... Rajasthan

Name of village	S.No.	Year in which the record was prepared	Description of Record	Date of filing in the Tehsil office for destruction or otherwise and the Office Qanungo's Signature	Signature of the Patwari responsible for the custody of the record	Remarks
1	2	3	4	5	6	7

Form No. P-38.
(See Para 117)
Receipt for Return of Arz-Irsal.

Received back from.....
s/o.....Lambardar of village.....
.....Arz-Irsal No.....
datedof village.....
amounting to Rs....duly endorsed
by the Tehsil authorities.

Dated195
Receipt for return of the Arz-Irsal received.
Signature of Lambardar.

Dated 195

Received back from
s/oLambardar of village.....
.....Arz-Irsal No.
datedof village.....
amounting to Rs.....duly endorsed by the
Tehsil authorities.

Dated195
Signature of Patwari.

PART II. INSPECTORS OF LAND RECORDS.

PART II. CHAPTER I.

Conditions of Service

Notes

This rules in this Chapter have been framed in pursuance of section 32, 33 and 35 of Rajasthan Land Revenue Act. Section 32 of the Act authorises the Director, Land Records, with the previous sanction of the State Government, to arrange the Patwar Circle of each district into Land Records Inspection Circles. Rule 170 of this Chapter deals with the matter contained in this section.

Sections 32 and 35 of the Act require the State Government to frame rules for prescribing and regulating the appointment, qualifications and conditions of service of Land Records Inspectors. Rule 171 to 177-A in this Chapter are meant to serve these purposes.

170. *Circle of Inspector of Land Records.*—The Inspectors' circles, in each Tehsil, will be formed by the Director of Land Records with the previous sanction of the State Government in consideration of the amount of work contained in each circle. Generally, one Inspector's circle shall consist of ten Patwari circles but if the area, to be inspected, is very large, or the amount of work is heavy, this number may be reduced to six.

171. *Appointment.*—(i) The Commissioner shall maintain a list of those candidates who have received training in the Inspectors' Training School and obtained a diploma. When there is a substantive vacancy in the cadre of Inspectors of Land Records or a vacancy which is likely to become substantive, the Collector, shall, for that purpose, send a requisition to the Commissioner of the Division. The Commissioner shall then inform the Collector of the name of the senior-most candidate on his list and the Collector shall then appoint him as Inspector of Land Records. Rules regarding the selection of the candidates for admission to the school are given in Part IV of these Rules.

(ii). Collector may appoint senior Patwaris to officiate as Inspectors, Assistant Sadar Qanungos and Office Qanungos subject to confirmation by the Commissioner of the Division and subject to the selection by the Selection Committee mentioned in Part IV and passing the examination within two years. For such officiating appointments, the qualifications laid down for permanent promotions of Patwaris to the posts of Inspectors shall be observed.

172. *Riding Certificate.*—No Inspector of Land Records will be confirmed in his appointment unless he satisfies the Collector of his district that he knows riding fully well and obtains a certificate to this effect. This certificate should be asked for and placed with the papers while recommending confirmation of an Inspector.

173. *Transfers.*—The Collector can transfer Inspectors of Land Records, in his district. Transfer from one district to another in the same division and from one division to another will be made by the Commissioner of the Division and the Board of Revenue, respectively.

173-A. *Leave.*—Casual leave will be granted by the Tehsildar and privilege and other kinds of leave will be sanctioned by the Collector if no substitute is required. In case the appointment of a substitute is required, privilege and other sorts of leave will be sanctioned by the Commissioner of the Division, who will make temporary appointments to fill up the vacancy.

174. *Salary.*—The pay of all the Inspectors of Land Records is personal and does not depend on the circle to which an Inspector is posted. To begin with an Inspector will be appointed on the lowest grade of the sanctioned scale of pay. The scale of pay and allowances of the Inspectors shall be as sanctioned by the Government from time to time.

175.—Every Inspector will be given a conveyance allowance of Rs 30/- p. m. subject to the following conditions:—

- (i) that during each quarter of the year he remains on tour for 45 days and spends 45 nights at points beyond a radius of 5 miles from his headquarters;
- (ii) that if the number of days toured and nights spent outside his headquarters fall below the prescribed number of 45, a deduction shall be made at the rate of Rs. 2/- per day in respect of the deficiency;
- (iii) that in respect of journeys to points outside his jurisdiction the Inspector will be allowed travelling allowance and halting allowance admissible under the Travelling Allowance Rules subject to a deduction of Re. 1/- and 50 Naya Paisa; and
- (iv) that the conveyance allowance will not be admissible to an Inspector who has been provided with a camel sowar in lieu of a peon.

176. *Contingent Expenditure and Peon.*—Every Inspector will be given fixed allowance for stationery. He will be allowed a peon who will accompany him in tour.

177. *Disciplinary Action.*—(a) The Sub-Divisional officers are empowered to inflict the punishments of censure and withholding of grade increment for one year only, on the Inspectors of Land Records.

(b) Collectors will have the powers to inflict the following punishments on the Inspectors:—

- (i) Censure;
- (ii) With-holding of increments upto two years ;
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of law;
- (iv) Suspension for sufficient grounds.

(e) Commissioner of the Division will have the powers to inflict on an Inspector the punishment of:—

- (i) With-holding of increments upto three years;
- (ii) Reduction upto three stages in the time scale of pay;
- (iii) Reduction to a lower post;
- (iv) Removal;
- (v) Dismissal from service.

The Collectors may make recommendations to the Commissioner of the Division when they consider that punishments which are beyond their powers should be inflicted on an Inspector. Before inflicting any punishment, the punishing authority will have to adopt the procedure as laid down in para 14 (iv).

177-A. Appeals will be regulated by the provisions of the Rajasthan Civil Services (Classification, Control and Appeal) Rules 1950.

CHAPTER II.

Duties of Inspector of Lands Records.

Notes.

The rules in this Chapter regulating the duties of Land Records Inspectors have been framed in pursuance of section 35 of the R. L. R. Act.

178. (i) The following are the duties of the Inspectors of Land Records:—

1. General supervision over Patwaris and management of proper and timely preparation of Land Records;
2. Supervision over village maps;
3. Checking of Patwari's Records and Statistics;
4. Detection of Agricultural deterioration; and
5. Local enquiries.

(ii) The Inspector must have knowledge of the general condition of the tenants and cultivators in his circle. If he finds any deterioration in the agricultural conditions, he must report the facts to the Tehsildar and keep a note in his diary. Some of the symptoms of agricultural deterioration are enumerated below:—

1. Gradual decrease in the cultivated area from year to year;

2. Decrease in the means and sources of irrigation;
3. Drying up of water in wells partly or wholly;
4. Surrender and abandonment of lands by tenants; and
5. Decrease in the cultivation of important food and commercial crops, *e. g.* cotton, wheat, Zeera etc.

(iii) It is the duty of an Inspector to help the Tehsildar in administrative matters but he must not be engaged in these duties at the cost of his normal duties of preparation and checking of the Land Records for which he is primarily meant. He should not be engaged in the collection work without obtaining clear orders from the Sub-Divisional Officer who will have to record reasons for issuing such orders.

179. *Daily Diary*.—(i) The Inspector of Land Records shall keep a diary in Form No. I-1, in which he shall, each day record the duties on which he has been engaged. The diary shall be written in alternate volumes for alternate months; the volume not in use, being forwarded to the Tehsildar for examination along with the monthly abstract and statement of tours and checkings on the 5th day of each month. The Tehsildar shall forward it with his remarks to the Sub-Divisional Officer by the 10th. The Sub-Divisional Officer will return it to the Tehsildar by the 20th. The latter will return it to the Inspector so as to reach him by the 25th positively. The abstract and the statement of touring and checkings will be sent by the Sub-Divisional Officer to the Collector for his orders with his remarks. The Tehsildar and the Sub-Divisional Officer shall see that the Inspector has carried out the instructions which were given to him during the last month and action is taken on the suggestions of the Inspector, if any. The Sub-Divisional Officer shall also see that the Tehsildar takes proper action on the reports of the Inspector and makes arrangements for the preparation and compilation of the records and statistics. The Tehsildar and the Sub-Divisional Officer should assess the amount of work done by the Inspector after scrutinising the abstract and statements annexed with the diary, which will be prepared on Form Nos. 2, 3 and 4. These abstracts will be kept in the Collectorate by the Sadar Qanungo, in a file kept open for each Inspector's circle along with the statement of tour checkings.

(ii) Every page of the diary shall be numbered and sealed and on the first page the number of pages contained in the volume will be mentioned and signed by the Tehsildar. At the end of the year the diaries will be filed with the Office Qanungo along with the register of annual checkings.

180. *Tours, Attendance at Tehsil or On Officers*.—Every Inspector is required to spend his time in his circle. He shall not remain at the Tehsil headquarter without the special orders of

the Tehsildar, who shall sign his diary for every day on which he is so detained. The Inspector shall obtain in his diary the signature of every officer on whom he has been in attendance. During the days of inspection of crops and when the Patwaris are busy in the preparation of Dhal Baohh, the Inspector should regularly tour from one circle to another and check the work of the Patwaris to ensure the accuracy of the entries made. Besides this, at other times he must visit one circle after another and make detailed inspections of each and every record prepared by the Patwaris. It is his primary duty to see that the Patwaris are complying with the instructions contained in these Rules and preparing the records and statistics in time. Every Inspector should submit his date-wise programme of tour to the Tehsildar in the beginning of each month.

181. *Residence of the Patwari in his Circle.*—The Inspector of Land Records must see that the Patwaris reside in their respective circles with their families and those who are exempted from the obligation of residence, are also found present in their circle and perform their duties in time. If he finds anything against it, he must immediately report the facts to the Tehsildar.

182. *Patwarkhanas.*—It shall be the duty of the Inspector to report to the Tehsildar on 1st April, every year regarding the following:—

- (i) The repairs and constructions of Patwarkhanas with their estimates; and
- (ii) Whether the Patwaris reside at their headquarters with their families.

183. *Punctuality and competence of Patwaris.*—The Inspector shall see that the Patwaris in his circle begin preparation of their records at the proper time and use reasonable diligence in preparing them. He must report to the Tehsildar if any Patwari is habitually negligent or dilatory, or owing to age, ill health or any other cause is not fit for the post. If any Patwari is unable to finish his work within the prescribed time, it shall be the duty of the Inspector to arrange for his reasonable assistance.

184. *Circle map.*—The Inspector shall provide himself with a map of his circle showing villages, sites and their boundaries, roads, canals, railway lines, and the limits of Patwari circles. He must also show therein, by different colours, the tenures in which different villages are held and keep the map up to date by making timely corrections.

185. *Maintenance of circular orders and revenue rules.*—Every Inspector shall be furnished with a copy of these Rules and other relevant Acts and Rules, which are required for guidance in the performance of his daily duties. He must also have a file book of circulars in which he will paste the copies of the circulars received from time to time from the Tehsil and other offices.

186. It shall be the duty of the Inspector to see that each Patwari in his circle has got sufficient number of forms and does not misuse them. He should also estimate as to how many forms of each kind will be required by the Patwaris in his circle during the next year and he should submit a consolidated indent to the Tehsildar on 15th December, every year.

187. *Maintenance of map.*—(i) The inspector shall see that the village maps with the Patwaris are in a proper state for Girdawari purposes and incorporate the corrections in the field boundaries. When a map becomes unserviceable, he shall have a fresh trace prepared and shall sign the new trace after checking and comparing it with the old one. He must also see that the Patwaris have got all the instruments required for surveying the changes in the field boundaries and that they are properly and accurately maintained.

(ii) When a considerable area of waste land has been brought under cultivation, or when extensive changes have occurred in the field boundaries, the Inspector must check the corrections made by the Patwari in the map by personally running check lines through the area where the changes have occurred, noting the results in the diary of Patwari as well as his own diary.

(iii) When a Patwari, who is otherwise efficient, is, for any reason, unable to correct his maps neatly and accurately, the Inspector must report the facts by the beginning of November, suggesting some arrangement by which the work can be done. Any expense incurred in correcting a Patwari's map, under this paragraph, must be recovered from him.

(iv) If in any year, the changes in any circle are so heavy that a competent Patwari cannot correct the maps in time, the Inspector shall report the fact to the Tehsildar. In such cases, sanction to the cost of the survey can be obtained from the Collector of the district but grants will not, as a rule, be given when it appears that the heaviness of the work is due merely to the maps having not been corrected in the past years owing to the negligence of the Patwaris and Inspectors. The inspectors shall render personal help in the survey work to the Patwari or engage some other Patwari for such help when he finds that the Patwari concerned cannot alone survey the changes and make necessary corrections in time.

(v) It will be the duty of the Inspector to make corresponding changes in the copy of the village maps kept by the Office Qanungo at the end of each year, neatly and accurately.

188. *Comparison of the new Khasra and Khatauni Jamabandi with the expiring ones.*—When a new quadrennial Khasra is copied from the old one, the Inspector shall compare the entries and see that the Patwari has prepared the new copy accurately. Similarly he should compare the new Jamabandi with the old one, particularly those Khasra numbers which have undergone some change, and satisfy himself that the new Jamabandi has been pre-

pared in accordance with the old one, subject to the changes and mutations sanctioned and approved by proper authorities.

189. *Khasra Girdawari*.—(i) It shall be the duty of every Inspector of Land Records to check the Girdawari work of all the villages in his circle at each season. In such villages where the land revenue is realised in kind, or the rent differs for different crops, or where rent is charged for cutting of grass and other natural products, he should check every such number very carefully. Similarly at least 50% of the entries regarding personal cultivation by estate-holders and cultivation by sub-tenants should be thoroughly checked. The Inspector should mention in his diary the percentage of Khasra numbers inspected by him.

(ii) In the year in which a new Jamabandi is to be prepared, the Inspector should check the Girdawari work of such villages carefully at both seasons, Shialu and Unhalu. He is responsible to see that no field, in which there has occurred a permanent change, in possession or in rent, has been left out. Where fields belonging to Jagirdars and Muafidars and the Government are adjacent to each other, he should particularly check such numbers and find out if any area belonging to the State has been included in the Jagir or Muafi fields. The irrigated area and the means by which it is irrigated, should particularly be checked and the Inspector shall satisfy himself that the areas irrigated by wells, canals and other means have been accurately given in the column provided for the purpose. If any field is irrigated by well as well as canal or any other two means of irrigation, both should be recorded in the papers. The Inspector is also responsible to see that the crops sown and reaped are correctly entered in the Khasra and no cultivated field is left out. He will enquire into the changes on the site, that might have occurred since the time of his last inspection, in case of each Khasra number and satisfy himself that the entries are correctly made and will then initial each number which he might inspect and check.

190. *Examination of boundary survey marks*.—(i) Once a year the Inspector shall examine the boundary and survey marks shown in the list prepared by the Patwari with particular attention to marks for which action has to be taken to effect repairs or renewals.

(ii) When the Inspector considers that any mark requires renewal or repair, he shall submit a report to the Tehsildar. Marks should be reported for repairs only when the Inspector is satisfied that in proportion to the expenditure they can be made serviceable for a sufficiently long period; when the mark has been disturbed or the masonry, of which it is composed, has decayed, the report should be made for renewal. When marks are being erected the Inspector shall see that these are erected on accurate positions.

191. *Testing of crop statements*.—On completing the inspection of the Khasra of one or more villages in a circle, the Inspector

shall check the crop statements and after satisfying himself that they are properly prepared and that the totals are correct, he shall submit a consolidated form for his circle to the Office Qanungo. The submission of statements should be completed by the dates fixed. The original Jinswars should be kept by the Inspector till the area statement is completed.

192. *Testing of area statements.*—The area statement should be obtained from the Patwaris as soon as it is complete and after being thoroughly checked, should be signed and transmitted to the Office Qanungo, with the original crop statements not later than 31st May. The explanation of fluctuations in the totals and classes of different kinds of areas given by the Patwaris should be carefully scrutinized and the Inspector should give his endorsement thereon.

193. *Dhal Banchh.*—The Inspector will check the Dhal Banchh with the Jamabandi, the Mutation Register and the Dhal Banchh of the previous year. He will also compile a village-wise abstract for the permanent and fluctuating demands of each year and sent it to the Office Qanungo. The Inspector must finish the checking of Dhal Banchh by the 15th November, and sign the same in token of his testing;

194. *Jamabandi.*—In the year of preparation of a new Jamabandi the Inspector should move out on tour in the months of June, July and August and see that the Patwaris are properly preparing the Jamabandi. He should test the entry by putting appropriate questions to individual tenants and estateholders and comparing them with the entries in the Khasra, Dhal Banchh and the Mutation Register. In the grain rented villages he must see that the ledger was prepared in time and that the rental demand was correctly calculated by the Patwari according to the prices settled by the Revenue Officer performing the Batai work. He must also satisfy himself that the rent for the cash rented crops is calculated accurately and that the entries of unoccupied area have been correctly made in the Jamabandi.

195. *Siyaha.*—(i) The Inspector shall particularly check the Siyaha for the collection months, *i. e.* from the 1st November to 31st December and from 16th March to 30th June, and on each occasion, he visits a circle, he shall see that the Patwari is making entries in the Siyaha regularly and punctually. He shall test the entries made in the Siyaha with the Dhal Banchh and the Receipt Book and also see whether instructions about the remittance of cash to the Tehsil Sub-Treasury contained in para 111 have been duly observed. In as many cases as possible he will verify the entries in the receipts issued, by enquiries from the depositors.

(ii) If any Patwari reports that the estate-holder does not supply the information necessary for compiling the record of rent collection; the Inspector shall try to remove such difficulty and, if he fails to do so, shall report to the Tehsildar.

(iii) The Inspector shall compare the *Siyaha* with the *Dhal Banchh* and the receipts and shall see that the collection entries are correct. He will also enquire from some cultivators about the receipts given to them. He will sign on the tested receipts and see that the entries therein compare with the *Siyaha*. He will also see that the amount collected and entered in the *Siyaha* has been remitted to the Tehsil Treasury within the prescribed time; that the entries are made in the *Siyaha* according to the prescribed rules; that the totals are correct and that the Patwari has given the receipt to the payees in time. If the Inspector finds any fraud in the receipts or the *Siyaha*, he should at once submit a report to the Tehsildar. He should check the *Siyaha* at the time of every collection and finish the checking of the *Siyahas* of all the villages of his circle by the end of August every year. At the end of each year he will sign the totals of collections after comparing them with the *Jamabandi* and *Dhal Banchh*. He should also examine the entries of the amount directly remitted in the Tehsil Treasury and see that the counter-foils of *Arz-Irsals* are received by the Patwari and pasted in the *Siyaha* in time and that the *Lambardar* has regularly signed the *Siyaha*. The Inspector shall, at the time of inspection, ascertain that the Patwari does not keep the collected amount with him and if he does so, he (the Inspector) should report the matter to the Tehsildar.

(iv) At the time of *Girdawari* a thorough checking should be made about the *Nautor* land and the wells newly constructed or repaired, so that the details regarding the area and the wells may not remain unattended to. The Inspector should finish the checking of the alterations in the map by the 15th April and these attestations should be shown on the map. He should sign and date his check lines.

196. *Survey Instruments*.—Every Inspector will be supplied with two complete sets of survey instruments containing plane-table with stands, Optical squares, Chains with twenty arrows, Bamboo gathas, Scale, Divider, Area Comb, Gunia, Sight-rule, Measuring Tape of 50 yards and flags. The Inspector will lend any of these survey instruments to the needy Patwaris. The Inspector will be responsible for keeping the instruments in good working order and check their accuracy while-issuing the instruments to the Patwaris. The Inspector should check the survey entries with the Patwaris on the site. It will be the duty of the Inspector to send to the Tehsildar a report by the 1st May of each year, in which he will mention the details of the useless, repairable and missing instruments of the Patwaris; and at the time of transfer of Patwaris charge he shall see that the instruments are duly entered in the charge-list, a copy of which will be duly forwarded by him to the Office Qanungo with his remarks.

197. *Register of results of annual checkings*.—At the time of inspection, the Inspector should see that the daily diary as well as

the Diary of Events of a Patwari is maintained up-to-date and that the abstracts are regularly sent at the end of each month. He should carefully check the abstracts and assess whether the Patwari has been properly doing his work or simply idling away the time. He must see that each work, scheduled to be done on a specific date, is done by the Patwaris in time and the preparation of any record or report is not delayed. He must submit the abstract to the Tehsildar with his remarks having scrutinized it as stated above. He shall initial the entries in every register kept by the Patwari which he checks and also in taken of his testing, enter the result of his inspections in register I-3. At the end of every year he will enter the results of his annual checking about every Patwari's work in the register of Patwaris from this register and the monthly abstract of progress will also be prepared on the basis of these entries. This register will commence from 1st October and after finishing the checking of Jamabandi, it will be deposited in the Tehsil with the daily diary of the Inspector by the end of September of the following year.

198. *Register of Patwaris*.—This register will be a bound one and will be kept by the Inspector for 12 years for the purpose of recording the particulars of each Patwari and of the villages in his circle. At the expiry of 12 years, a new register will be opened and the old one will be deposited in the Tehsil. This register will contain 9 pages for each Patwar circle. On the first and second pages the antecedents of the Patwaris will be entered, on the third and fourth pages the details of the Patwari's circle will be noted, on the fifth and sixth pages the inspections made by the Inspector will be entered and on the seventh and eighth pages the details of checkings made by other officers, with punishment etc., if any, in connection with the same Patwari will be recorded. In the fourth part of the register the details of complaints and their results will be noted concisely which should not cover more than a few lines. The entries in the second part of the register, called "Halat Halka Patwari", will be made in pencil in the first instance, and will be inked on the preparation of the quadrennial Jamabandi; three lines should be left for the entries of each village.

199. *Settlement of Disputes*.—If the Inspector finds any dispute regarding any entry, he can record the facts in the Khasra. He will enter the statements made by the parties at the end of the Khasra, and will also obtain their signatures and will inform the Tehsil. If the parties are not prepared to make any compromise, he will make a formal enquiry and after making necessary entries in the Khasra, he will report the matter to the Tehsildar.

200. *Restriction regarding entries of petty Muafis*.—At the time of Girdawari, the Inspector should check the Khatas of Muafis and see that the conditions, on which the Muafis were granted, are properly adhered to and complied with. If he finds any

occupied field of Muafi entered in Khalsa, or any field of Khalsa in Muafi, he should make an enquiry on the spot and report the matter to the Tehsildar.

201. *Matters not reported by the Patwari.*—If the Inspector finds that any report which should have been made by the Patwari according to these rules, has not been made by him, he should call for an explanation from the Patwari to that effect and forward it to the Tehsildar for orders.

APPENDIX TO PART II.

Yearly programme of the work of an Inspector of Land Records.

Month	Work to be done	Remarks
1	2	3
October.	<ol style="list-style-type: none"> Will submit to the Tehsildar his monthly diary and abstract of the diaries of the Patwaris in his circle not later than the fifth of each month. [omitted] Will inspect sufficient fields on the spot to assure himself that crops entered in the Khasra Girdawari by Patwaris are correct. Will verify numbers in which any change of cultivating possession or rent has occurred and total under his signature. Will inspect the Patwari's diaries and check the alterations which have been made in the Khasra Girdawari very carefully. Will prepare crop abstracts (Jinswars) and send them to the Office Qanungo. Will check condition of trigonometrical survey pillars record in Khasra Girdawari and will send a report about all such pillars to the Tehsildar, and also about the condition of trijunction pillars, base line marks, etc. 	Inspector is responsible to sign each and every No. of the areas in which there is fluctuating assessment and get prepared their extracts which he will check and sign.

October (Contd.)	8. Will see whether the Patwaris had rectified the defects of which a copy was supplied to them in the month of September. He should initial all the alterations made by the Patwari in his copy of the Jamabandi.
November	1. Will check the Banchh papers with the last Jamabandi and Mutation Registers and sign them. He will initial all erasures and corrections. 2. Will check and draw up a list of the numbers of temporary and Na'utor cultivation, and give it to the Patwari to prepare their Titamma Shajra.
December	1. Will prepare a list of fields which require amendment. 2. Will check Burdi Baramadi papers. 3. Will check extra Karif Girdawari. 4. Will check Titamma Shajras on spot. 5. Will make preliminary attestation of Jamabandis and Shajra Nasabs of villages in his circle of which quadrennial Jamabandis are to be prepared.
January	1. Will do work mentioned in Nos. 2-3 & 4 under the month of December, above. 2. Will report to the Tehsildar the condition of Patwarkhanas of his circle etc.
February	1. Will do remaining work mentioned in No. 2 of December.
March	1. Will do all the work mentioned at 3 to 8 under October.
April.	1. Will check the corrected Banchh papers (Dhal Banchh). 2. Will check the extra Rabi Girdawari commenced by the Patwaris after 15th April. 3. In April of each year the stock of each Patwari should be verified and examined, and condition of the articles duly noted in column 4 of the Equipment Register. 4. Will check the Register of Records in the custody of Patwaris. 5. Will check Addas.
May	1. Will check extra Rabi Girdawari and the crop abstracts (Jinswars) prepared by the Patwaris 2. Will check Banchh work.

June, July
& August

1. Will pay special attention to the detailed Jamabandis which are being prepared by the Patwaris. He should attest all the entries of holdings in the presence of the estate-holders concerned and also the genealogical trees (Shajra Nasabs).
2. Will check the changes made in soil classification.
3. Will check annual and quadrennial statements, and sign them.

September

1. Will bring to the Tehsil headquarter his Register of Patwaris, which the Office Qanungo shall send to the Sadar Qanungo for incorporation of remarks in the service books of the Patwaris.
2. Will check the Titamma Shajras incorporated by Patwaris in the copy of the map kept in the Tehsil and in the map with the Patwaris. He will note that he has done so in his note of checking the Jamabandis.
3. Will spend September at Tehsil headquarter checking Jamadandis with a view to see that the changes based on mutations have been properly incorporated.
4. Will check the mutation fee and compare it with the list.
5. Will check and sign the annual and quadrennial statements.
6. Will sign pages of Khasra Girdawari where the assessments in fluctuating and Khasra Nautor is prepared every year.

NOTE:—The programme detailed above is only meant as a general guide and the Collector can alter it to suit local conditions.

Form No. I-1.

(See Para 179)

Daily Diary of Work of Inspector of Land Records Circle.....
 Tehsil.....District.....Rajasthan, for the month of.....195 .

Date and day	Name of village visited or in hand with the name of the Patwari	Work in hand	Date of previous visits to this village	Details of work with reference to the paragraph No. of the Rules.
1	2	3	4	5

Form No. I-2.

(See Para 179)

Monthly abstract of daily Diary of Work of Inspector of Land Records Circle.....Tehsil.....District.....Rajasthan, for the month of19 .

1. Total number of villages.
2. Total number of quadrennial villages.
3. Total number of Patwaris.

Serial No.	Diary		Quantity of work	No. of days	Tehsildar's remarks	Sub-Divisional Officer's remarks	Orders of the Collector
	Details of work						
1	2		3	4	5	6	7
1.	Crop Inspection.	No. of villages.					
2.	Farad Tuda Sehada.	Khasra numbers.					
		No. of villages.					
3.	Cattle Census.	No. of Tuda Sehada checked.					
		No. of villages.					
4.	Dhal Banchh.	No. of Khatas checked.					
		No. of villages.					
		No. of Khatauni holdings checked.					
5.	Bahi Khata Jins.	No. of villages.					
		No. of Khatauni holdings checked.					
6.	Khasra regarding fluctuating assessment.	No. of villages.					
		No. of Khasras checked.					
7.	Jamabandi for fluctuating assessment and Ghair Mustaqil Kasht.	No. of villages.					
		No. of Khatas checked.					
8.	List of Titamma Shajra	No. of villages.					
		No. of Khasras checked.					

9	Survey of Titamma Shajra.	No. of villages.			
		No. of Khasras checked.			
10.	Preliminary attestation of quadrennial Jamabandi.	No. of villages attested during this month.			
		Total No. of villages including this month.			
11.	Check of quadrennial Jamabandi after preparation by Patwari,	No. of villages checked and compared during this month.			
		Total No. of villages including this month.			
12.	Attestation of quadrennial Jamabandi on spot.	No. of villages attested during this month.			
		Total No. of villages including this month.			
13.	Comparison of mutations with the Jamabandi at Tehsil Office.	No. of villages done during this month.			
		Total No. of villages including this month.			
14.	Amendment of Jinswars to Shajra Titamma.	and other maps according			
15.	Inspection of Jinswars statements.	and other agricultural			
16.	Comparison of mutations-	Total No. of mutations			
		Compared during this month.			
17.	Preparation of Kurras in partition cases.	No. of Kurras prepared during this month.			
		Balance.			
18.	Boundary disputes complied with.	No. of cases done during this month.			
		Balance.			
19.	Possession orders complied with.	No. of orders complied with during this month.			
		Balance.			
20.	Decrees executed.	No. of decrees executed during this month.			
		Balance.			
21.	Mutations of registered deeds disposed of.				
22.	Other miscellaneous work.				
23.	No. of days spent in holidays.				
24.	Total No. of days.				
25.	No. of Patwaris whose work has not been inspected with their reasons.				

[illegible]

Details of work done regarding the villages prescribed in the column No. 4 regarding Quadrennial Jamabandis by the Inspector of Land Records.																
Preliminary attestation of Jamabandi				Check and Comparison of newly prepared Jamabandis				Comparison of the mutations with the Jamabandi in the Office				Final attestation of the Jamabandi by Revenue Officers				
No. of Villages	Previously attested	Attested during this month	Balance	No. of Villages	Checked and compared during previous month	Checked and compared during this month	Balance	No. of village	Compared during current month	Balance	No. of villages	Previous month	Current month	Balance	Remarks	
11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27

Form No. 1-4

(See Para 179)

Statement showing Touring of Inspector of Land Records Circle.....Tehsil.....
 District.....Rajasthan for the month of.....19

Serial No.	Name and number of Patwaris circles inspected by the Inspector with No. of days	No. of days spent in the Tehsil	No. of holidays and leave availed of	No. of days spent with Officers	Miscellaneous work done	Total	Remarks
1	2	3	4	5	6	7	8

Form No. I-5

(See Para 198)

Register of Patwaris to be kept by the Inspector of Land Records
 Part I-(a) Particulars of Patwaris.

Name of Patwari with parentage, caste and residence	Qualifications	Date of appointment	Age on appointment	Pay	Resident of exempted with place of present residence	Land owned or cultivated by the Patwari or his relatives	Date and reasons of termination of appointment	Remarks
1	2	3	4	5	6	7	8	9

Form No.I-5 (Contd.)

Part I-(b) Particulars of circles

Name of villages	No. of villages	Total area	Cultivated area	No. of Khewat holdings	No. of Khatauni holdings	No. of fields	Revenue	Remarks
1	2	3	4	5	6	7	8	9

Part II-(a) Record of Patwaris work

Agri-cultural Year	Name of village	Date by which Kharif crop statements were filed	Date of completion of Banah papers	Date of completion of fluctuating Jamabandi	Date by which Rabi crop statements were filed	Date by which extra Rabi statements filed	Date of completion of Milan Khastra	Date of filing Quadrennial Jamabandi	Reports on complaints against Patwaris during the year	Remarks
1		3	4	5	6	7	8	9	10	11

Form No. 1-5 (Contd.)
Part II Quadrennial Attestation and Petty Survey work by Inspector of Land Records.

Agricultural year:	Village attested			Date of attestation of old Jamabandi	Date of finishing the checking of survey work	Preparation of new Jamabandi				Remarks	
	Name	Holdings	Fields			Area	Date of commencement by Patwari	Date of completion by Patwari	Date of completion by Inspector for final attestation		Date of attestation by Revenue Officer
1	2	3	4	5	6	7	8	9	10	11	12

Part III.

Dates of visits of superior officers including Sadar Qanungo	Brief remark of superior officers showing quality of Patwari's work in each year. (N. B.—Entries should be very brief)
1	2

Part IV

Report against the Patwari		Orders on reports in previous column			Remarks
Date	Nature of Report	Date	Order	By whom	
1	2	3	4	5	6

PART III. OFFICE QANUNGOS.

CHAPTER I.

Office Qanungos.

202. (a) Generally, one Office Qanungo will be appointed in each Tehsil, who will be incharge of all Land Records work to be performed in the Tehsil office, under the control and supervision of the Tehsildar, and shall be responsible for performing the duties mentioned below in time.

(b) *Assistant Office Qanungo*.—If it is found that the work in a certain Tehsil is comparatively heavier and cannot be performed in time by the Office Qanungo single handed, one Assistant Office Qanungo, from the cadre of Patwaris, will be appointed to assist him, and the rules governing the appointment of Patwaris mentioned in paragraph 4, shall apply *mutatis mutandis* to the appointment of such assistants. Generally, experienced Patwaris will be posted as Assistant Office Qanungos. Office Qanungos will be appointed by the Commissioner of the Division from amongst those candidates, who have passed the Qanungo's training course and obtained a diploma thereof. Rules regarding the selection of candidates and admission to the training school and passing the course are given in Part IV. Candidates, having higher educational qualifications and experience of clerical as well as Patwaris' and Inspector of Land Records duties, will be given preference.

(c) *Officiating arrangement*.—The collector may appoint senior Patwaris or Assistant Office Qanungo to officiate as Office Qanungos subject to confirmation by the Commissioner of the Division and subject to the selection by the Committee mentioned in Part IV and passing the Qanungo examination within two years. For such officiating appointment the qualifications laid down for permanent promotion of Patwaris to the post of Inspectors of Land Records shall be observed.

203. *Leave*.—Casual leave will be granted by the Tehsildar and privilege and other kinds of leave will be sanctioned by the Collector, if no substitutes are required. In case no substitute is necessary, privilege leave upto one month may be sanctioned by the Sub-Divisional Officer also. In case the appointment of substitute is required, privilege and other kinds of leave will be sanctioned by the Commissioner of the division, who will make temporary appointment to fill up the vacancy.

204. *Transfers*.—The Collector can transfer Office Qanungos from one Tehsil to another in his district. Transfers from one district to another will be made by the Commissioner of the division and from one division to another by the Board of Revenue.

205. *Pay and allowances*.—Subject to any sanctioned local allowance, the pay and allowances of all the Office Qanungos will be personal and will not depend on the Tehsils to which an Office

Qanungo is posted. To begin with an Office Qanungo will be appointed on the lowest grade of the sanctioned scale of pay, which will be as sanctioned by the Government from time to time.

206. *Contingent expenditure and Peon.*—Every Office Qanungo will be supplied stationery and postage stamps according to a schedule prescribed by the Collector in view of the actual requirements of each Tehsil. He will also be given imprest money amounting to Rs. 25/- to meet other contingent expenditure. Expenditure from the imprest amount will be made under the orders and with the sanction of the Tehsildar within the budgetted allotment.

207. *Bundle Lifter.*—One Bundle Lifter in the cadre of peons will be attached to each Office Qanungo to help him in his official duties. Local summons etc., pertaining to land records, will also be served by the Bundle Lifter.

208. *Disciplinary action against Office Qanungo.*—(a) The Sub-Divisional Officers are empowered to inflict the punishment of censure and withholding of grade increment for one year only in case of Office Qanungos.

(b) The Collectors will have the powers to inflict the following punishments:—

- (i) Censure;
- (ii) Withholding of increments upto two years.
- (iii) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of law;
- (iv) Suspension for sufficient grounds.

(c) The Commissioner of the division will have the powers to inflict on the Office Qanungos the punishments of:—

- (i) Withholding of grade increments upto three years;
- (ii) Reduction upto 3 stages in the time scale of pay;
- (iii) Reduction to a lower post;
- (iv) Removal; and
- (v) Dismissal from service.

The Collectors may make recommendation to the Commissioner of the division when they consider that the punishments which are beyond their powers should be inflicted on an Office Qanungo. Before inflicting any punishment, the punishing authority will have to adopt the procedure as laid down in para 14 (iv).

209. *Appeals.*—Appeals against the orders of Collectors will lie to the Divisional Commissioner. A second appeal will lie to the Board of Revenue. In case of an order for removal or dismissal passed by the Commissioner, the first appeal will lie to the Board of Revenue and the second one to the Government in accordance with the provisions of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1950. An appellant shall, provided that it is required for first appeal, be entitled free of charge to a copy of the order of punishment, which he shall file with his appeal. In case

where a second appeal lies, a copy of the order on the first appeal shall be granted free of charge. All other copies of orders, original or appellate, shall be charged for at the scales prescribed.

CHAPTER II.

Duties of Office Qanungo.

210. The duties of Office Qanungos and their assistants are set out in the following paragraphs. They shall not be employed regularly on any other class of work without the special sanction of the Commissioner of the division. They shall not be allowed to leave the Tehsil headquarters except for special reasons to be reported by the Tehsildar to the Collector:—

- (i) Maintenance of Patwari's Pay accounts;
- (ii) Conduct of proceedings in cases of correction of records, mutation cases and realisation fees;
- (iii) Supply of blank forms to Inspectors of Land Records and Patwaris;
- (iv) Testing of Khatauni Jamabandis and errata lists;
- (v) Receipt, preservation and disposal of records;
- (vi) Compilation of statistics for transmission to the Sadar Qanungo and for record in the Tehsil;
- (vii) Supply to the Collector or to the Sub-Divisional Officer of any information that may be required regarding entries in the village papers filed in the Tehsil or in the registers maintained by him; and
- (viii) Checking of the returns of the monthly progress of work of the Inspectors and Patwaris.

211. (a) The following registers shall be maintained by the Office Qanungo in each Tehsil:—

1. Register of Salary bills of the Land Records staff in the Tehsil.
2. Register of claims of arrears of pay of the Land Records Staff.
3. Register of deductions from the pay of the Land Records staff.
4. Register of accounts of pay of the Land Records staff.
5. Register of leave of Land Records staff.
6. Register of cattle diseases.
7. Register of calamities among cattle and human beings.
8. Register of Lambardars etc.
9. Register of Halat Halqa Patwaris and Inspectors.
10. Register Halat Mauza (Gram Suchi).
11. Register of villages.
12. Register of Patwar-khanejat.
13. Register of State-Grants.
14. Register of arrangements made in Siwai Chak.
15. Register of Nazool.
16. Register Peshi Muqadmat.
17. Register of Security of Patwaris.

18. Register of Inspection by Revenue Officers.
19. Register of Deposit on of Records.
20. Register of Daramad Baramad Kaghzat.
21. Register of village Bastas.
22. Register of Land Records forms.
23. Register of Indent of Land Records forms.
24. Stock register of Survey equipment and furniture.
25. Register of Farari Nau Abadi.
26. Register of Weekly Weather and Crop Report.
27. Register of Rainfall.
28. Register of Retail Prices.
29. Despatch Register.
30. Receipt Register.

(b) The following table shown the latest dates on which the Inspectors, and Patwaris records are to be received by the Office Qanungo, the time they shall be retained by him, and the method of disposal :—

Name of Record	Date of Deposition	Period for which to be retained in the Tehsil	Method of Disposal	Remarks
1	2	3	4	5

I. Inspector of Land Record's Records.

Diary	31st October after one year.	5 year	Destroyed .
Register of Patwari's inspection 1-5	To be deposited after 12 years.	5 years from the date of receipt.	Destroyed .
Monthly Abstract of daily diary with Statements on forms 1-3 and 1-4.	5th day of each month.	To be sent to the Sub-Divisional Officer on 10th of each month.	Sent to Sadar Qanungo.
Varshik Intkal fee ka Mang Patra.	30th June of every year.	2 years.	Destroyed .
Receipt & Despatch Register.	One year after it is filled.	5 years	—do—

II. Patwar's Records.

Diary of work with monthly abstract.	31st Oct. after one year.	5 years	Destroyed.
Diary of Events.	—do—	—do—	—do—
Khasra Girdawari (Quadrennial).	31st Oct. after one year of completion.	Till the Revision of Settlement.	Sent to the Sadar Qanungo.
Khasra Parivartanshil	31st Oct. each year.	—do—	—do—
List of Boundary and Survey Marks.	31st Oct. (attached with the Khasra Girdawari)	—do—	—do—
Map	Till a new map is received by the Patwari.	—do—	—do—
Grain Rent Ledger.	31st Oct. each year.	—do—	—do—
Siyaha	31st Oct. after 1 year.	5 years	Destroyed.
Receipt Book	—do—	5 years	—do—
Arz-Irsal.	—do—	—do—	—do—
Register of Mutation.	After the expiry of current Settlement,	3 years	—do—
Register of Naqal and Nirikshan Patwar Patras.	—do—	5 years	—do—
Quadrennial Jama-bandi, (Parat Sarkar)	30th Sept. after its completion.	Till 1st April.	Sent to Sadar Qanungo.
Genealogical tree	do	do	do
Fard Badar	do	do	do
Dhal Banchh.	31st Oct. after one year.	2 years	do
Demand Slip	do	do	Destroyed.
Milan Rhasra	20th June	5 years	Destroyed
Jinswar Kharif	10th November	do	do
Jinswar Rabi	25th March	do	do
Jinswar Vishesh Unahalu.	25th May	do	do
Register of Cattle Census.	31st Oct. after five years.	do	do
Jamabandi Pariwar-tan sheel.	31st Oct. each year.	Till the revision of Settlement.	Sent to Sadar Qanungo.
Well statement	Along with jamabandi	Till 1st April,	Sent to Sadar Qanungo.

* Consolidated Statements for the Tehsil will be sent to the Sadar Qanungo within 5 days of deposition.

(c) The Office Qanungo's records shall be disposed of in accordance with the instructions given in the following table:—

Name of Record	Period for which to be retained in the Tehsil	Method of Disposal	Remarks
1	2	3	4
Register of Salary and arrear bills of the Land Records staff.	10 years	Sent to Sadar Qanungo.	
Register of deductions from the pay of the Land Records staff.	do.	do.	
Register of Pay accounts.	do	Destroyed.	
Register of leave of Land Records staff.	One year after it is filled & a new register is opened to which the leave on credit is transferred.	do	
Register of Cattle Disease.	1 year after it is filled	Destroyed.	
Register of Calamities.	5 years after it is filled.	do.	
Register of Lambar-dars.	5 years after the current Settlement is finished.	do.	
Register of Halat Halqa Patwaris' and Inspectors'.	10 years after its completion.	Retained permanently.	
Register Halat Mauza (Gram Suohi).	Till it is filled.	do.	
Register of villages.	Till the current Settlement is over and a new register is prepared.	Destroyed.	
Register of Patwar-Khanejat.	10 years after it is filled.	do.	

Register of State-grants	Till it is filled.	Kept in the Record room of Office Qanungo.
Register of arrangements made in Siwai Chak.	5 years after the expiry of current Settlement.	Destroyed.
Register of Nazool	10 years after it is filled.	Retained permanently.
Register of cases	5 years after its completion.	do.
Register of Peshi Muqadmat.	do.	Destroyed.
Register of Security of Patwaris.	10 years after it is filled and a new register opened to which the previous securities are transferred.	Destroyed.
Register of Inspection by Revenue Officers.	5 years after it is filled.	Destroyed.
Register of deposition of Records.	Till it is filled	Retained permanently.
Register of Daramad Baramad Kaghzat.	One year after return of all the records noted in the register.	Destroyed.
Register of village Bastas.	Till it is filled and a new register opened.	Retained permanently.
Register of Land Records forms.	One year after it is filled and a new register, opened to which balance in hand be brought over.	Destroyed.
Register of Indent of Land Records forms.	3 years	Destroyed.
Stock Register of Survey equipments and furniture.	One year after it is filled and a new register is opened to which all the instruments in hand be brought over	Destroyed
Register of Farari Nau Abadi.	20 years after its completion	Destroyed.
Register of Rainfall.	10 years	Sent to the Sanar Qanungo.

Register of retail prices.	Till the revision of Settlement.	Sent to the Sadar Qanungo.
Receipt and Despatch Registers.	5 years after it is filled.	Destroyed.
Register of cattle Census.	5 years	Annual abstract sent to Sadar Qanungo.
Register of Weekly Whether and Crop Report.	Till the revision of Settlement	Sent to Sadar Qanungo.

(d) Each Office Qanungo shall maintain an up-to date note regarding his Tehsil and revise it at the end of each year to incorporate the necessary changes. The headings of the note are given in Schedule I appended to this Chapter.

(e) It will be the duty of the Office Qanungo to see that the abstract of the progress of work of each Inspector and Patwari in the Tehsil is received in time on the 5th day of each month. He should scrutinize all such abstracts and see that the work done is complete to the date and if he finds any defect, he must note it down and bring it to the notice of Tehsildar.

212. *Register of Salary Bill Form No. 1.*—(a) On the 25th of each month, the Office Qanungo will prepare the monthly salary bill in the form prescribed for the purpose by the Accounts Department and keep a copy in this register. Pay must be refunded by short drawal if undisbursed for two months; thus the pay received for January may be disbursed either in February or in March, and any sum that has not been disbursed in March must be refunded in the bill for that month. The Office Qanungo will show in the bill all deduction ordered upto the date of despatch; deductions ordered after that date will be shown in the bill for the following month.

When the bill has been passed by the Treasury and cash orders have been received, the pay of the land records staff will be distributed on the date fixed for this purpose.

(b) With a view to enable the Office Qanungo to exercise an effective check on the salary bills of land records staff, copies of all orders affecting their salaries shall be sent to him.

213. *Register of arrear claims of Patwaris and Inspectors No. 0-2.*—(a) In order that arrear claims of the land records staff may be properly watched and promptly settled, the Office Qanungo shall maintain a register of arrear claims in Form 0-2.

(b) Columns 1 to 6 of this register shall be filled up as soon as an arrear claim arises, e.g.

(i) in the case is refund as soon as the bill in which the amount is refunded is prepared;

- (ii) in cases of an appointment or promotion made or any amount remitted after preparation of the bill for the month to which it relates, as soon as the order of appointment or promotion or remission, as the case may be, is received; and
- (iii) in the case of transfer of charge, intimated after the preparation of the bill, resulting in the accrual of an arrear claim, as soon as the information regarding transfer of charge is received.

(c) The remaining columns of this register shall be filled up at subsequent stages, as steps are taken for the settlement of the claims. In Col. 13 (for remarks), the action taken to prevent a recurrence of the causes responsible for the accrual of an arrear claim or for delay in the settlement of an arrear claim should be briefly given by the Tehsildar in his own hand.

(d) Twice a year, once in April, and again in October, this register shall be put up before the Tehsildar for careful scrutiny of every entry therein with a view to making sure that there has been no undue delay in the settlement of any claim. Claims outstanding for settlement for more than six months should be particularly looked into and commented upon by the Tehsildar, who should see that they are settled as soon as possible.

(e) An extract from this register showing entries of the claims settled and those outstanding at the close of the half year ending 31st March and 30th September, shall be sent to the Sadar Qanungo in the first week of the following month, briefly explaining the reasons for which each item has remained outstanding for more than six months.

214. *Register of deductions from salary of the Patwaris and Inspectors.*—The Office Qanungo will maintain a register in Form O-3, regarding the deductions made from the pay of the land records staff on account of leave and other causes. The amount of deductions entered in this register before the despatch of the salary bill should tally with the entries in the bill and entered after the end of the month with the entries of the next salary bill.

215. *Attendance of the staff in the Tehsil and disbursement of pay.*—(a) A date shall be fixed for the attendance of each Patwari and Inspector at the Tehsil in such a manner that ordinarily the same date is not fixed for the attendance of more than 30 Patwaris; and that the Patwaris should not be required to attend before the pay for the past month will have been received in the Tehsil in the ordinary course. When in any month the office is closed on any pay day the Patwari must attend on the next day on which office is opened.

(b) Each Patwari attending shall be first required to hand over the reports, which he may have to make. When this has been done and the Patwari has received such instructions, orders and cir-

culars as may be necessary, the Office Qanungo will pay him his salary in the presence of the Tehsildar or the Naib-Tehsildar, who will sign in the register of salary bill against each payment.

(c) No payment shall be made to any other person in place of any Patwari; personal attendance is necessary.

(d) This rule may, however, be relaxed in the case of a Patwari, who is on leave and in whose place a substitute is working or who was officiating in a temporary vacancy and has been discharged. The pay of such a Patwari should be sent to him by money order after deducting the M. O. commission or may be delivered to a person duly authorised by him to receive it on his behalf.

(e) The Office Qanungo has nothing to do with the custody or the actual payment of money; the sum due will be paid to the Patwari and other staff by the treasurer of the Tehsil, who will keep the cash.

(f) A Patwari, who does not attend on the day fixed for his attendance, shall not be allowed to draw his pay on any other day during the month except under a special order. Such order should not be passed unless the incumbent satisfies from his diary and other record that his failure was justified by attendance in any court or some similar reason.

(g) If a Patwari does not attend the Tehsil on the day fixed for disbursement of salaries without sufficient reasons, he should be called upon to explain and be dealt with properly.

216. *Register of accounts of pay of Patwaris and Inspectors. No. 0-4.*—(a) The Office Qanungo will keep an account of the pay in hand in Form 0-4. Entries will be made on each day on which a transaction takes place. Amounts drawn by arrear bills on account of claims of pay and grade promotions etc. should also be shown in this register.

(b) The Office Qanungo will obtain on each day on which transaction takes place the signature of the Tehsil Treasurer and Tehsildar or the Naib-Tehsildar to the closing balance shown in this register.

217. *Register of Leave of Land Records staff F. No. 0-5.*—The Office Qanungo will open an account of each employee of the land records staff in the Tehsil on a separate page as soon as he joins his duty either by appointment or by transfer. The account will be kept for all kinds of leave, casual, privilege and emergent etc. and at the end of each year the period of leave due to him and admissible under the Rajasthan Civil Service Rules will be entered in a new register.

218. *Register of Cattle Diseases F. No. 0-6.*—(a) The Office Qanungo shall maintain a register in form No. 0-6, in which he shall enter all the reports of cattle diseases received from the Patwaris.

(b) On the 25th day of each month, he shall forward to the Sadar Qanungo an abstract of the reports received during the month. The name of the disease should be entered exactly as given by the Patwaris.

(c) When a report discloses an outbreak of Rinderpest, Anthrax or Haemorrhagic Septicaemia or Blackquarter in an area recently affected, the Office Qanungo shall, under the order of the Tehsildar, send a copy of it direct to the Veterinary Assistant by the most expeditious method that may be available.

219. *Register of Calamities amongst cattle and human beings. 0-7.*—The Office Qanungo shall keep a register in form 0-7 to enter the reports of calamities made to him by the Patwaris. If an epidemic disease is reported, the name of the disease should be given in column No. 5. Available information regarding the areas affected by floods or hails etc. the amount of damage done, the number of deaths amongst men and cattle and so on, should be entered. The entry should be as brief as possible. The register will be placed before the Tehsildar for recording his remarks in col. No. 8. The original report must be transmitted without delay through the Tehsildar to the Collector. In cases of urgency a report may be sent direct to the nearest Medical Officer also for immediate necessary action.

220. *Register of Lambardars etc F. No. 0-8*—The Office Qanungo will maintain a register for keeping up-to-date information regarding the Lambardars future changes may also be entered in it. In the remarks column, information regarding the financial status of the Lambardar i.e. whether he is himself a banker or indebted and his character etc. will be noted. The register will continue so long as it is not complete. New register may be opened after the old one is full of entries.

221. *Register of Halat Halqa Patwaris and Inspectors F. No. 0-9.*—The Office Qanungo will maintain a register on form 09, having detailed information regarding the circles of the Inspectors and Patwaris. In this register an abstract of the Inspector's circle will be entered on the first page. One page will be left for each circle of the Inspector or Patwari, as the case may be, and, if necessary, more pages may be left. The entries regarding the details of villages will be renewed after the compilation of a new Jamabandi after every fourth year. This entry will be made at the end of the list of the villages of the circle after drawing a line.

222. *Register Halat Mauza F. No. 0-10.*—A register on form 0-10, will maintained for the term of one settlement to another and an index of the villages will be given at the beginning of the register, in the order in which these are entered in the Patwaris' circles. Two pages will be kept for the entries of each village in which information regarding that village will be entered year to year. In the end an annual abstract will be entered for all the villages of the

Tehsil. In the remarks column, short notes will be written for the decrease or increase in area, cultivation, irrigation, wells in use and the number of cattle, corresponding to the notes in the Milan Khasra. A copy of the abstract will be sent to the Sadar Qanungo by the 15th September, each year.

223 *Register of villages (F. No. 0-11).*—In this register the local Chanka (unit of measurement) of each village and its ratio to the Bigha of the standard chain shall be entered in columns 6 and 7. In case of non-Khalsa villages the amount paid by the grantees to the Government should be entered in detail in Cols. No. 14 and 15 and the names of the Thikanas will be entered in column No. 11. The villages will be entered in alphabetical order of Devnagri script.

223-A. The Register of Villages prescribed by section 120 of the Rajasthan Land Revenue Act, 1956, shall be in form 0-11-A.

223-B. The Office Qanungo shall also maintain a list of groves as required by para 388

223-C. The Office Qanungo shall also be responsible for maintaining the Register of Alluvion and Diluvian in form 0-33.

224. *Register of Patwarkhanejat Form No. 0-12.*—The Office Qanungo will maintain a register of Patwar-khanejat (Houses constructed by the Government for the residence and Office of the Patwaris) on form 0-12. In this register he will enter the condition of each Patwarkhana as reported by the Inspector regarding their repairs etc. He will also send a consolidated report for the repairs etc. of all the Patwarkhanas in the Tehsil to the Sadar Qanungo through the Tehsildar by the end of September each year, so that provision may be made in the next year's budget of the Land Records Department.

225. *Register of State grants F. No. 0-13.*—A register having details of all the State-grants, other than complete villages, will be prepared at the time of settlement or-settlement [cf. clause (c) of Sec. 114 of the Rajasthan Land Revenue Act, 1956] and will be transferred to the Tehsil along with the record. It will be the duty of the Office Qanungo to maintain this register up-to-date and incorporate in it any changes which may be ordered for each grant subsequently. If any Muafi is finally resumed and assessed to rental demand, a reference of the order will be noted against the entries of the particular grant and at the time of the next settlement it will be deleted from the register.

226. *Register of arrangements made in Siwai Chak land F. No. 0-14.*—There may be some areas in certain places which are not occupied by any tenant or the village as a whole and have not been assessed and included in any Khata and which are consequently managed by the Tehsildar directly by letting it out temporarily or permanently or by selling its natural products by auction. This register is meant to make entries regarding such areas.

Regular files will be opened by the Office Qanungo at the beginning of each agricultural year and entries will be made in the register on the basis of the corresponding files.

227. *Register of Nazool F. No. 0-15.*—(a) Nazool includes plots of land within the Abadi ear-marked or fit for buildings purposes and buildings belonging to the Government.

(b) The Office Qanungo will maintain a register in form 015 and will collect information of such plots and buildings through the Patwaris and from the Abadi records whenever possible and will supply details whenever a question regarding the disposal of any such plot or the letting of any such building arises and is required by the Tehsildar. It is the duty of the Tehsildar to see that no Nazool land is encroached upon or used by anyone without proper authority and full rent is realised for Government buildings.

228. *Register of cases F. No. 0-16.*—No separate form is prescribed for the Misalband register. It will be the same as prescribed for other clerks of the Tehsil by the Revenue Department. The Office Qanungo will open and keep files regarding the followings:—

- 1 Revision of, and changes in, circles of the Patwaris and Inspectors;
2. Files of decision of boundary disputes;
3. Inter-states boundary disputes and the Comparison of boundary lines with the adjoining States;
4. Compliances of orders received from the Settlement and the Land Records Department and service of summons;
5. The land records work in the Tehsil;
6. Demarcation and repairs of boundary pillars;
7. Security of the Patwaris;
8. Papers regarding assessment of land revenue;
9. Management of the unoccupied areas;
10. Fire accidents and other calamities;
11. Absconding and settling of tenants;
12. Appointment and removal of Lambardars;
13. Appointment, complaints and other personal matters of the land records staff;
14. Remission of land revenue, which is held unrealisable.

The files opened and maintained by the Office Qanungo will be recorded in the Tehsil Record Room after all the proceedings have been completed.

229. *Register Peshi Muqadmat F. No. 0-17.*—It will be on the same form as is kept by the other Revenue clerks of the Tehsil. No separate form is prescribed.

230. *Register of Security of Patwaris Form 0-18.*—As laid down in Paragraph 6, every Patwari shall be required to furnish a security of Rs. 200/- as soon as he is appointed and given charge of

the circle. The Office Qanungo will see that this order is complied with in time and shall bring to the notice of the Tehsildar, if any Patwari does not furnish security Properly. Files regarding security will be kept by the Office Qanungo and abstract from the same will be entered in the columns of the register which are self-explanatory.

231. *Register of inspection by Revenue Officers Form No. 0-19.*—A register of blank papers will be kept by each Office Qanungo in which the Naib-Tehsildar, the Tehsildar and other Revenue Officers will note down their inspections from time to time. The inspection notes of the Assistant Director of Land Records will be pasted in another file book to be kept for the purpose.

232. *Register of Deposition of Records. F. No. 0-20.*—(a) When any record is deposited by the Patwaris or the Inspectors, it will be the duty of the Office Qanungo to see that it is complete in all respects. Record which is not complete to be admitted will be returned for correction and completion.

(b) If any Patwari or Inspector does not produce any record or statement on the date fixed for the purpose, the Office Qanungo will submit a report to the Tehsildar who will arrange for its deposition as early as possible and take proper action against the defaulter.

(c) The Office Qanungo will keep a programme for the preparation of the Quadrennial Jamabandis of the villages of each circle sanctioned by the Collector and will see that the Jamabandis are prepared according to the programme. In this programme all the villages of each Patwar circle will be distributed over four years in such a way that the work in each year is equally and proportionately distributed.

(d) The record accepted by the Office Qanungo will be entered forthwith in the register known as the register of deposition of records; thereafter, it will be placed in the relevant Basta and will also be entered in the list of papers kept in the Basta, as prescribed in Form 0-22. This register will commence from the beginning year of the enforcement of settlement or revision of settlement and will continue for five years. The pages contained in each record will be noted against it in the register as well as in the list of papers in the Basta. In the village-wise Bastas records will be kept in separate bundles in order of successive years and papers contained in each bundle, bearing the signatures of the Patwari and the Inspector, will be placed, below the cover of another bundle. Jinswars and Milan Khasras will not be kept in the Basta. These statements for the whole Tehsil will be kept in a separate Basta for each year and if any paper will be taken out of any Basta a slip bearing the signature of the recipient and the reference of the case or the necessity for which the record is required and the order under which it is allowed to be sent will be kept in its place.

(e) Between 1st August and 31st October, the Office Qanungo shall take out from the Bastas all record, which is either to be sent to the Sadar Qanungo or to be destroyed during the current year. It is usually found convenient to carry out the procedure prescribed in this paragraph and paragraph (d) above concurrently.

(f) Records to be sent to the Sadar Qanungo will be despatched in the month of April at such time as may be intimated by him. An invoice will be sent with the record in which details of all the despatched papers will be entered. One copy of the invoice will be kept by the Office Qanungo to serve as a memorandum and the other one bearing the signature of the Tehsildar or the Naib-Tehsildar will be sent in a separate envelope to the Sadar Qanungo. The Sadar Qanungo will compare the record received with the invoice and acknowledge the same at the back of the invoice which will be returned to the Office Qanungo. If, on comparison, the Sadar Qanungo finds any difference, he will report the matter to the Collector and ascertain from the Office Qanungo the reason of the difference. On receipt of the invoice back from the Sadar Qanungo, the Office Qanungo will file it with his memorandum and if it is not received back within 15 days from the date of despatch, he will send a report to the Collector through the Tehsildar.

233. *Destruction of records.*—As soon as all the records for destruction have been put aside the Office Qanungo shall submit a report to the Sub-Divisional Officer through the Tehsildar. The records should be kept until they have been inspected by the Sub-Divisional Officer and when he has, after inspection, ordered their destruction, they should be sold as waste paper. Care must, however, be taken that Khasras, Siyahas, Receipt Books, etc. are torn into small pieces. Other record need not be torn into pieces but their Nathi should be broken and the papers mixed together and thoroughly disarranged before they are offered for sale. The proceeds will be credited to Patwaris' miscellaneous income.

234. *Register of Daramad Baramad Kaghzat F. No. 0-21.*—The Office Qanungo will maintain a register on form 0-21, in which all the record which has been taken out of the Record room either to be sent to any other court or for copying or for any other purpose, shall be entered. On return of the record back to the Record room, the Office Qanungo will sign in column No. 8 in testimony that the record has been placed at its proper place. A new register will be opened only when the old one is finished and those papers which happen to be out of the Record room will be entered in the new register with red ink. The new register will begin with a fresh serial number. The Office Qanungo will submit the register to the Tehsildar after every third month, who will see that no paper remains unnecessarily out of the Record room and if he finds so, he will arrange for its early return. The reference of the order in compliance with which the record is taken out and also the

subject matter of the case in connection with which the record is being sent to other places will be entered in column No. 5.

235. *Register of Land Records Forms. F. No. 0-23.*—The Office Qanungo is responsible for the custody and supply of forms for the use of Inspectors of Land Records and Patwaris as well as for his own office. He is required to see that a sufficient stock of forms is kept in hand; that the stocks are not unnecessarily large and that forms are not wasted or allowed to be injured by careless storage.

236. *Stock Book.*—Stock book of all forms received or issued shall be maintained in the prescribed Form No. 0-23. Three pages shall be utilized for each kind of form and a separate account should be kept for each form, index is to be given in the beginning to show as to on what page the account of each form is given.

237. *Receipt of forms and entry in Stock Book.*—Forms received in the office shall be counted by the Office Qanungo. If the number differs from the number shown in the invoice, he shall at once report to the Tehsildar, who should forward the report to the Collector's office. The number of forms received shall be entered in the register and a total of the previous receipts and the fresh ones should be given. The total of forms issued shall be added up and the balance struck for each day on which any forms are issued.

238. *Issue of forms.*—The issue of forms to Patwaris shall begin as soon as the forms have been received from the Press and shall be completed by the 15th September. The Inspectors may obtain forms as they require them. The signature of the official to whom the forms are issued shall be taken in the last column of the register. The official shall also be required to initial each erasure or over-writing in respect of the number of forms issued to him.

239. *Preparation of Indents.*—The Office Qanungo shall require the Patwaris to bind in paper covers, forms of each kind in a separate volume and shall stamp and page each volume as soon as bound. He will also note on the first page under his own signature and the countersignature of the Tehsildar or the Naib-Tehsildar the number of pages contained in each volume. Early in October, the Office Qanungo shall call on the Inspectors to report by the end of November the number of forms required for each circle in which any variation from the previous year's indent is proposed, stating the circumstances which render the change desirable. At the same time, he should request the Inspectors to report their own needs and should consider what forms are required for his own office. From the facts so ascertained, the indent for the current year and the stock as shown by the register, he must calculate the number of each form to be supplied for the next year.

240. *Arrangement and Sub-mission of Indent.*—The indent for Patwar forms must show separately the number of forms required for each Patwar circle. This will remain with the Office Qanungo for the distribution of forms. From this indent he will prepare an abstract on Form No. 0-24, showing only the total number of forms of each kind required for the whole Tehsil, explaining in a foot-note, the reasons for any considerable increase over the number supplied in the current year. The abstract shall be laid before the Tehsildar who will be responsible for the accuracy of the estimates and after such changes, as he may deem proper, shall forward the same to the Sadar Qanungo so as to reach him not later than the 15th December. The indent for Office Qanungo's and Inspectors' forms shall also be submitted to the Sadar Qanungo by the same date.

241. *Stock Register of Survey Instruments & furniture. Form 0-25.*—(a) The Office Qanungo shall maintain a record of all furniture and survey instruments on Form No. 0-25, which are kept at the Tehsil or supplied to the Field Staff. One or more pages shall be assigned to each kind of instrument; every receipt or issue shall be noted in time and the balance struck on each day when any receipt or issue takes place. When an instrument is returned damaged, the facts should be noted in the column of remarks. The signature of the recipient shall be obtained in the appropriate column, whenever any instrument is issued.

(b) A complete list of the survey instruments in stock shall be submitted to the Sadar Qanungo annually by 1st June after the instruments are inspected and checked by the Tehsildar accompanied by a brief report showing the condition of the instruments and the need for repairs and replacement.

(c) The Office Qanungo shall compare the certificates submitted by the Inspectors with the stock book; if he finds that any instruments are missing or need repairs, he shall at once report the matter to the Tehsildar for orders. He shall also take the signature of each new Inspector in his register on the occasion of his first visit to the Tehsil in token of his having seen the instruments standing in the name of his predecessor and shall make necessary entries in the register to show that the instruments have been received back from the latter and re-issued to the former.

242. *Register of Farari Nau-Abadi. Form 0-26.*—The Office Qanungo will maintain a register on Form 0-26, to have detailed information regarding the tenants who have absconded or who have settled afresh in the Tehsil. Information required to fill in the columns of the register will be supplied by the Patwaris.

243. *Register of Retail prices. Form No. 0-29.*—The Office Qanungo will keep a register of prices in Form No. 0-29, in which he will enter the market prices of the current commodities by ascertaining them through the Patwaris from all the important Mandis and marketing centres in the jurisdiction of the Tehsil. He

will also send an abstract of the register to the Sadar Qanungo at the end of each month but, if there is a sudden rise or fall of twenty per cent in the price of any commodity he shall have to send a special report to the Collector through the Tehsildar. [See Sec. 147 of the Rajasthan Tenancy Act, 1955, and Rule 57 of the Rajasthan Tenancy (Board of Revenue) Rules, 1955.]

244. *Circular Orders.*—The Office Qanungo will maintain two file books for circular orders. In one of these he will paste all the standing orders and circulars regarding the land records received from the Board of Revenue from time to time. In the beginning of the file he will add an index so that any circular may be easily traced out. In the other book he will keep miscellaneous orders and circulars of General Administration received from the Government and other Offices. It is very necessary that each Office Qanungo must have a copy of the Land Records Rules, Revenue Act and the Tenancy Act. He shall also keep a copy of the last census report and a village-wise abstract of the cattle enumerations held from time to time.

245. *Office Qanungo's Statement of Mutation fees.*—As soon as the Inspector's checking is completed, the Office Qanungo will prepare a statement in duplicate in the form below and will check the entries with the original mutation sheets (accepted or rejected) and certify that they are correct:—

Statement of demand on account of Mutation fees for the year Kharif 195 and Rabi 195.

Name and No. of village	Name and Khata No. of the estate-holder or tenant from whom fee is due	Total mutation fee due from each estate	Deduct Patwari's and Inspector's share	Balance to be credited to the Treasury with the first Kharif instalment of Land Revenue
1	2	3	4	5

One copy of the statement should be sent by the Tehsildar to the Collector by the end of September for incorporation in his Demand Register. The other copy should be made over to the Tehsil Revenue Accountant in whose custody it will remain. It will then be the duty of the Revenue Accountant to see that the fees are collected and credited in the accounts as directed above.

246. *Interrogatories.*—(a) The Office Qanungo will maintain two registers for entering the receipt and despatch of interrogatories. One will be for those interrogatories which relate to the persons residing outside the limits of the Tehsil and whose statements are considered essential for the disposal of the mutation cases. The other will be the receipt book of those interrogatories, which may be received from other Tehsils for disposal. In these registers the dates of receipt and despatch of interrogatories will be noted.

(b) In order to see that prompt action is taken, inspecting officers should devote particular attention to ascertain that interrogatories received from other Tehsils are promptly dealt with. The Tehsildar should at the close of each month send a list to the Collector showing the interrogatories received in his Tehsil which have not been returned to the Tehsil or district concerned as well as the dates of their receipt. The Collector should scrutinize these lists and take disciplinary action in cases where he finds that unnecessary delay has been allowed to occur.

247. *Register of Survey Marks.*—(i) The Collectors will maintain in their offices a list of the great trigonometrical survey stations in their districts, and they should see that the instructions given below are carried out.

(ii) In his field inspection the Patwari, in whose circle any such pillar is situated, should note whether the mark is in good condition in the manner prescribed for survey boundary marks in the instructions given in para 91.

(iii) On the completion of the Kharif harvest inspection each Patwari shall send a report, through the Inspector, in the sub-joined form, to the Tehsildar for submission to the Collector.

No. of pillar	Name of village in which pillar is built	Name of Police station & Tehsil	Remarks on the condition of the pillars
1	2	3	4

(iv) Should any pillar not be situated within the boundaries of any revenue village, the Tehsildar shall make special arrangements for the inspection of such pillar and for the preparation of the prescribed report by the Patwari or Inspector as soon as possible after the Kharif harvest inspection.

(v) The Collector shall submit an annual return in the above form to the Commissioner of the division on the 1st December in each year, and shall carry out any repairs to those pillars that the Commissioner may desire him to make for which he will provide funds.

SCHEDULE I

TO

CHAPTER II. PART III.

Topics on which the Office Qanungo shall have to maintain a note for the Tehsil.

A. Geographical condition of the Tehsil.

1. Boundary.
2. Area.
3. No. of villages.
4. Forests.
5. Important hills.

6. Rivers and streams.
7. Tanks and canals.
8. Vegetables, animals and birds.
9. Climate.
10. Temperature
11. Rain.

B. Agricultural Condition.

1. Culturable land.
2. Unculturable land.
3. Irrigated land.
4. Unirrigated land.
5. Means of irrigation.
6. Government tanks.
7. Wells
8. Tanks to be repaired (Repairable).
9. No. of newly constructed wells in the last five years and the area irrigated by them.
10. Crops.
11. Kharif.
12. Rabi.
13. Agricultural calamities.
14. Agricultural diseases.
15. Agricultural calamities and diseases which occurred in the last two years.
16. Relief given in famine.
17. Short time and long time scheme of famine relief.
18. Average area of a Khata.
19. Kinds of agriculturists.
20. Demand assessed by Settlement.

C. Cattle.

1. No. of cattle.
2. Kinds of fodder and produce.
3. Cattle diseases.
4. Time when special diseases prevailed among cattle.
5. Description of diseases which prevailed among cattle in the last two years.
6. Remedies adopted to prevent the diseases.
7. Names of the places where the cattle go in famine and No. of cattle taken away.
8. Cattle fairs.

D. People.

1. Population.
 - (a) Male.
 - (b) Female.
2. Language.
3. Professions.

4. Economic condition of the people.
5. Special diseases.
6. Social evils.
 - (a) Death feast
 - (b) Early Marriage.
 - (c) Tika Tilak (Dahej).
 - (d) Parda.
7. Education.
8. Trade and business.
 - (a) Trade.
 - (b) Factories.
9. Means of communications.
10. Remarks.
11. Dharamshalas and hotels.
12. Hospitals.
13. Any important places.
14. Village uplift (Improvements).
15. Jails etc.
16. Other Government offices.
17. Government buildings and other property.
18. Rehabilitation.
19. Government demand.
20. System of land revenue.

CHAPTER III.

Rain-Gauges and Rainfall Data.

248. *The Rainfall organisation.*—(i) The registration of rainfall in Rajasthan is under the control of the Board of Revenue. The duties of the Controlling Officer, as specified by the Meteorological Department, are :—

- (a) the suitable distribution of rain-gauge stations wherein the rainfall of the State is properly represented ;
- (b) the choice of suitable sites for the gauges ;
- (c) the issue of rain-gauges and measuring glasses by countersigning indents on the Mathematical Instruments Office, which will not, as a rule, supply a rain-gauge unless the indent is countersigned by the Controlling Officer ;
- (d) the collection of data ; and
- (e) the preparation of rainfall statements.

(ii) In cases of doubt as to the desirability of starting new gauges and changing the sites of old ones, the Director-General of Observatories should be consulted. In the latter case a site plan showing the distance and bearing of the new site as compared with the old and existing one should be sent.

249. *Rain gauges, under whose charge placed.*—Rain-gauges at the headquarters of a district, should be placed in charge of the Sadar Qanungo, or other clerk, as may be convenient in each case. Those at Tehsil should be in the charge of the Office Qanungo.

250. *Pattern of Rain-gauge*.—Except at canal stations, in respect of which the Irrigation Department issues its own instructions, the rain-gauges in use are of Symon's pattern.

251. *Locality of Rain-gauge*.—(i) It has been found that a rain-gauge exposed on a perfectly open space registers less than the true amount of rain. This arises because the wind forms an eddy over the mouth of the gauge and carries away small drops which would otherwise have entered the gauge. Accordingly a certain amount of protection from the wind is advantageous ; at the same time no obstacle should be so near to the gauge as actually to shield it from rain which may be falling at a considerable angle.

(ii) The following rule has been found to be most satisfactory in practice :—

- (a) "The distance between the gauge and the nearest object should be at least twice the height of that object."
- (b) If this rule is followed the presence of trees and bushes in the neighbourhood of a gauge is rather to be encouraged than otherwise. But (as trees may be allowed to grow without being effectively lopped) no tree should be planted within thirty yards of the gauge.
- (c) The gauge should never be situated on the side or top of a hill if a suitable site on level ground can be found. In the hills, where it is difficult to find a space, the site for the gauge should be chosen where it is best shielded from high winds, and where the wind does cause eddies.
- (d) Only under very exceptional circumstances should a gauge be exposed on a roof. It is not intended that all the gauges, now on roofs, should be at once removed to ground sites. Opportunities should, however, be taken as they arise for effecting a change, for example, when an office is removed from one building to another, or when a site on a roof becomes unsuitable.

252. *Erection of Gauge*.—A masonry or concrete foundation for the gauge should be provided, the best form being a cube of 2 feet sides sunk into the ground so that its top is just above the general level of the ground. Into this foundation the base of the gauge is firmly cemented, so that the top of the complete gauge is exactly one foot above the ground level.

253. *Protection of the Gauge*—(a) It is often desirable to protect the gauge from being damaged by cattle, and for this purpose a fence may be erected around it. This can be made of any suitable material, but it must be of such a size that the top of the fence is not higher above the mouth of the gauge than half its distance from the gauge.

(b) It is also desirable to keep the rain-gauge looked and to have it painted periodically to prevent its surface from corroding. The Mathematical Instruments Office can supply rain-gauges with locking arrangements.

254. *Measurement of the Rainfall.*—(a) The rain water in the gauge should be measured every day at 8-30 A. M. and the rain-gauge should be examined every day at that hour even when in the observer's opinion no rain has fallen. During heavy rains it must be measured three or four times in a day, lest the receiver fills and overflows but the last measurement should be taken at 8-30 A.M. and the sum total of all the measurements during the previous 24 hours entered as the rainfall of the day.

(b) If it is raining at the time of observation, it is necessary to complete all operations as quickly as possible to avoid considerable error.

255. *Breakage of the Measure glass.*—It is desirable that every rain-gauge station should be supplied by the local authority with an extra measure glass. When the measure glass in regular use is broken the spare measure glass should be at once brought into use, and another measure glass should at the same time be indented for in the manner prescribed in the paragraph below :—

256. *Supply of Rain-gauges and Measure Glasses.*—(a) All rain-gauges and measure glasses etc. required at rain-gauge stations in India are supplied by the Mathematical Instruments Office, Calcutta; the responsibility for their accuracy rests, however, with the Meteorological Department, who tests them before they are issued. Price list of rain-gauges, etc., rules and regulations and indent forms are obtainable from the Mathematical Instruments Office, Calcutta.

(b) Whenever a rain-gauge or measure glass is required at any station, an indent form should be obtained from the Controlling Officer, and after being filled in should be returned to him for countersignature. The indent will be forwarded by the Controlling Officer to the Mathematical Instruments Office, who will, on its receipt, send the rain-gauge or measure glass etc. direct to the station requiring it and will recover the cost from the local authority signing the indent unless otherwise directed.

(c) In the case of breakage of the glass bottle within the gauge, another bottle should be obtained locally, either from the bazar or the nearest dispensary. The exact shape of the bottle is not important so long as it fits within the gauge and will hold about 5" of rain. If there is a zinc receiver which has become leaky, it may be soldered locally if possible; otherwise it should be replaced by a glass bottle or a fresh zinc receiver be obtained from the Mathematical Instruments Office.

257. *Inspection of Rain-gauge.*—(1) It is of great importance that the rain-gauge should be inspected as the observers often allow

large changes to take place in the exposure of a gauge without being aware that action is necessary.

(2) The object of the Inspecting Officer should be to determine :—

- (a) whether the instrument is suitably placed and is in good order;
- (b) whether the observer can take the rainfall measurements correctly and enter them properly in the rainfall records ;
- (c) whether the rainfall records are properly and neatly kept and are in good order ;
- (d) whether the observer makes his measurements at 8-30 A.M. ; and
- (e) whether any part of the rain gauge requires repairs or replacement.

(3) In order to determine whether the instrument is suitably placed and in thoroughly good order he should ascertain:—

- (a) whether there are any trees growing up or houses being built which are likely to effect the exposure;
- (b) whether the gauge is firmly fixed so that it is not likely to be blown over;
- (c) whether the rim, when pressed home, is level. As all gauges are made level when first erected, it will not be necessary for the Inspector to use spirit level. He will need to see that no obvious displacement of the gauge has taken place; and,
- (d) whether the rim of the mouth of the funnel is circular. All gauges are accurately measured before being issued, and unless the rim is obviously damaged or out of shape, it is not necessary to measure the diameter, which is generally 5 inches.

(4) In order to ascertain whether the observer can measure the rainfall accurately and make entries correctly the glass receiver should be partially filled two or three times with different quantities of water, and the observer required to measure them and write down the entries. If he can do this correctly, nothing further is necessary; if not the inspecting officer should teach him fully.

(5) The Inspecting Officer should also see that the prescribed rainfall book is in good condition and the entries are made carefully and neatly. He should also verify that the rainfall observer knows how to make entries in the various rainfall returns for local and Central Government authorities.

258. *New Rain-gauge.*—Applications by district officers for sanction to establish a new rain-gauge or transfer or abolish an existing one, should be submitted to the Board of Revenue. They should be accompanied by a map of the district showing the rain-gauge stations and should give detailed reasons for the proposals

CHAPTER IV.

- Forecasts of Crops.

260. (i) Forecast reports have to be submitted by Tehsildars to the Collectors and by Collectors to the Board of Revenue in the specimen form (Form No. 0-30) according to the programme given below :—

Statement showing the due dates and the number of forecasts.

Crop	Forecast	Last date of receipt of Forecast Report		
		In Distt. office from Tehsil	In Head office from District	By Government of India
1	2	3	4	5
1. Rice	First	15th Sept.	25th Sept.	15th October
	Second	15th Nov.	25th Nov.	15th December
	III(Final)	15th Jan.	25th Jan.	15th February
2. Jowar	First	30th Sept.	10th Oct.	31st October
	Second	31st Dec.	10th Jan.	31st Jan.
	III(Final)	28th Feb.	10th March	31st March
3. Bajra	First	30th Sept.	10th Oct.	31st October
	II(Final)	28th Jan.	8th Feb.	28th Feb.
4. Maize	First	30th Sept.	10th Oct.	31st Oct.
	II(Final)	28th Jan.	8th Feb.	28th Feb.
5. Ragi	First	30th Sept.	10th Oct.	31st Oct.
	II(Final)	28th Jan.	8th Feb.	28th Feb.
6. Wheat	First	20th Dec.	1st Jan.	20th Jan.
	Second	1st Feb.	10th Feb.	1st March
	Third	10th March	20th March	10th April
	Fourth	15th April	25th April	15th May
	V(Final)	1st July	10th July	1st August
7. Barley	First	15th Dec.	25th Dec.	15th Jan.
	Second	15th Feb.	25th Feb.	15th March
	III(Final)	15th April	25th April	15th May
8. Gram	First	15th Dec.	25th Dec.	15th Jan.
	Second	15th Feb.	25th Feb.	15th March
	III(Final)	15th April	25th April	15th May
9. Sugar-cane	First	21st May	31st May	21st June.
	Second	21st Sept.	1st Oct.	21st Oct.
	III(Final)	15th April	25th April	15th May
10. Sesamum	First	15th July	25th July	15th Aug.
	Second	15th Sept.	25th Sept.	15th October
	III(Final)	1st Dec.	10th Dec.	1st Jan.
	IV(Supplementary)	15th March	25th March	15th April

11. Groundnut	First	15th July.	25th July	15th Aug
	Second	15th Sept.	25th Sept.	15th October
	III(Final)	10th Jan.	20th Jan.	10th Feb.
12. Rape & Mustard	First	20th Nov.	1st Dec.	20th Dec.
	Second	1st Feb.	10th Feb.	1st March
	III(Final)	15th April	25th April	15th May
13. Linseed	First	20th Nov.	1st Dec.	20th Dec.
	Second	1st Feb.	10th Feb.	1st March
	III(Final)	15th April	25th April	15th May
14. Castor-seed	First	15th Jan.	25th Jan.	15th Feb.
15. Cotton	(Final)			
	First	10th July	20th July	10th Aug.
	Second	10th Sept.	20th Sept.	10th Oct.
	Third	10th Nov.	20th Nov.	10th Dec.
	Fourth	10th Jan.	20th Jan.	10th Feb.
16. Jute (Sann-Hemp)	V(Final)	10th March	20th March	10th April
	I Preliminary	1st June.	10th June	1st week of July
	II(Final)	15th Aug.	25th Aug.	3rd „ „ Sept.
	III(Supplementary reviews)	10th Feb.	1st March	Last week of March
	IV(Final) Reviews	1st Aug.	10th Aug.	1st week of Sept.
17. Tobacco	First	15th Dec.	25th Dec.	15th Jan.
	Second	20th Feb.	1st March	20th March
	III(Final)	20th April	30th April	20th May
	IV(supplementary)	10th July	20th July	10th Aug.
18. Potato	First	31st Dec.	10th Jan.	31st Jan.
	Second	15th May	25th May	15th June
	III(Final)	15th Sept.	25th Sept.	15th Oct.
19. Tur (Arhar)	First	15th Aug.	25th Aug.	15th Sept.
	Second	15th Dec.	25th Dec.	15th Jan.
	III(Final)	15th April	25th April	15th May
20. Other Kharif Pulses	First	15th Aug.	25th Aug.	15th Sept.
	Second	15th Dec.	25th Dec.	15th Jan.
21. Other Rabi Pulses	First	15th Dec.	25th Dec.	15th Jan.
	Second	15th April	25th April	15th May
22. Pepper	First	26th Feb.	5th March	26th March
23. Ginger	First	5th Feb.	15th Feb.	5th March

The publication of crop forecasts is always anxiously awaited by business firms. As delay detracts greatly from their value, special efforts should be made to despatch all forecasts to the Board of Revenue by due dates. There should be no difficulty as regards the first and second forecasts which are merely estimates. The third forecast, however, should contain a statement of the actual areas sown, together with an estimate of yield per acre. Where it is found impossible to complete the crop inspection in time for the inclusion of correct figures of area in the third forecast, the best possible estimates should be submitted in their place. A note should be given that revised figures will follow, and these should be despatched as soon as they have been prepared.

(ii) The method by which estimates are to be prepared need not be precisely prescribed. An approximate estimate of the area sown can be easily framed by personal inspection and enquires from cultivators who are generally in a position to give a fairly accurate idea of the area on the basis of the quantity of seed sown by them. Qanungos and Tehsildars will be responsible, after the ascertainment of the actual areas at Girdawari, for comparing them with the areas estimated by Patwaris. When large discrepancies are disclosed between the estimated and the actual areas, the Patwari concerned should be called upon to account for them.

261. *Instructions and proforma for the preparation of forecasts.*—(i) The form is to be used for all forecasts, the columns that do not relate to any particular forecast being left blank. In the case of cotton, details of area and yield of cotton under specified varieties are to be given. In the case of rice, separate returns may be furnished for summer, winter and autumn rice, where more than one crop is grown. Similarly in the case of Jowar, where Kharif as well as Rabi crops are grown, separate returns may be furnished.

(ii) Col. (1):—Description of the area under different categories such as reporting, non-reporting, irrigated, un-irrigated, Khalsa non-Khalsa etc. should be given.

(iii) Col. (2):—This column should give the total area under the crop in the current year, double cropped areas being counted twice.

(iv) Cols. (3) to (6):—In these columns the figures for the previous year and for the five years' average should relate to the corresponding forecasts. In order to have a correct picture of the crop conditions it is necessary to compare the current year's figures with the previous year's and with the normal; the normal being the average of the previous five years ending with the previous year. Tehsils that have been set up recently and do not possess the necessary data for the previous five years may give average for the years for which data are available with them, the fact being stated in a foot-note.

(v) Col. (7):—Percentage of area irrigated under the crop to the total area under the crop in each district should be given for the current year in the final forecast only. This information may be given for such crops at least that have considerable irrigated area under them.

(vi) Cols. (8) to (12):—same remarks as given under para. (iii) and (iv) above, apply to these columns. These columns may be left blank for the earlier forecasts for which information on yield is not to be given

(vii) Col. (13):—The district condition factors expressing the yield per acre of the crop in the current year as a percentage of the normal yield should be given.

(viii) Col. (14):—District-wise farm (harvest) prices should be given in the final forecast only.

(ix) Col. (15):—The reasons for difference of magnitude over and above 10% of the current with the previous year's and the normal figures may be explained in this column.

(x) The date fixed for the sub-mission of the forecast return and the date on which the forecast is actually despatched should be given in the space provided for the purpose at the bottom of the return. The reasons for delay, if any, should be explained.

(xi) The production of rice is to be given in the terms of cleaned rice, of sugarcane, in terms of gur, of groundnuts in terms of nuts in shell, of cotton, in terms of cotton lint in bales of 392 lbs each and of jute, in terms of bales of 400 lbs, and of ginger in terms of dried ginger.

(xii) If data in respect of "farm prices" and "percentage of irrigated area" etc. do not become available by the due date of the final forecast, the final forecast returns should be despatched in time, missing particulars may, however, separately furnished as soon as they become available.

CHAPTER V.

Agricultural Statistics.

262. *Tehsil Returns*.—The Tehsildar should get the agricultural statistics' tables of his Tehsil prepared by the Office Qanungo and Land Records Inspectors and send to the Collector of his district not later than 31st July for the year ending on 30th June.

Form No. O-2.
(See Para 213)

Register of claims of arrears of the land records staff Tehsil..... District Rajasthan.

Serial Number	Name of employee with place of posting and his scale of pay	Period for which pay was refunded or for which pay was not drawn	Month in the bill of which it was refunded or accounted for	Amount which was refunded or short drawn	Reasons for refund or short drawal	Date of submission of arrears bill	No & date of the cash order in which the amount was re-drawn	Amount of cash order	Date of payment to the employee	Signature of the employee and officer verifying payment	Reasons for not preparing the claim earlier	Remarks, if any. Attention taken to prevent recurrence of arrears
1	2	3	4	5	6	7	8	9	10	11	12	13

NOTE.—Form 0-1—Salary Bill form—omitted. It is the same as prescribed by the Accountant-General, Rajasthan.

Form No. O-3.
(See Para 214)Register of deductions from the pay of the land records staff Tehsil..... District.....
Rajasthan, for the month of 195

Serial No.	Name of the employee with particulars	Deductions			The name of the month from the pay of which deductions have been made with number of salary bills	Remarks
		Date of order with number of the case file	Details of leave etc.	Amount		
1	2	3	4	5	6	7

Form No.O-4.
(See Para 216)

Register of account of pay of the land records staff TehsilDistrict.....Rajasthan.

Date & month	Amount in hand		Received		Total		Paid as per acquittance Roll			Closing balance		Signatures		Remarks
	Rs.	nP.	Rs.	nP.	Rs.	nP.	Amount	Incumbent		Rs.	nP.	of Accountant	of Tehsildar or Naib-Tehsildar	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

NOTE:—Form 0-5-Register of Leave of Land Records Staff omitted, as it is the same as prescribed by the Accountant-General, Rajasthan.

Form No. O-6

(See Para 218)

Register of Cattle Diseases for the month ending 195 , Tehsil District.....Rajasthan.

Name of Disease	Name of circle from which reported		Name and total number of villages affected		Approximate number of animals affected		Number of deaths		Remarks
	1	2	3		4		5	6	

Form No. O-7.

(See Para 219)

Register of reports of calamities amongst persons and cattle, Tehsil.....District.....Rajasthan.

S. No.	Date of report	Date of occurrence of the calamity	Name of village and of circle	Nature of calamity	Remarks as to extent of calamity	Date of forwarding report to Headquarters		Note of Tehsildar showing the action taken on the spot	Remarks
						7	8		
1	2	3	4	5	6		7	8	9

Form No. O-8.
(See Para 220)

Register of Lambardars, Tehsil District Rajasthan.

Serial No.	Name of village with topographical number	Kind of village	Name of Thok Patti or Taraf	Name of Lambardar, with his father's name, caste and residence	Share of Lambardar	Total Revenue of his share	Date of appointment order	Date of the changes in entry of Column Number 5	Remarks, with the details of Conduct and orders after the Settlement
1	2	3	4	5	6	7	8	9	10

Form No. O-9

(See Para 221)

Register of Description of Patwaris' and Inspectors' circles, Tehsil District Rajasthan.

Name and No. of Inspector's circle	posting and date of with his name	No. of Patwari circle and the name of the village where the Patwaris headquarters is sanctioned	Name of Patwari with father's name, caste and residence, date of first appointment on present circle. Date of birth. Whether he has passed the Patwar examination or not or has been exempted	Pay of Patwari	Details of the villages in a Patwar circle							Remarks
					Name of Village	Total area	Cultivated area	Land Revenue	Khasra No.	Khevat or Khatuni No.	Name of year or Sambat	
1	2	3	4	5	6	7	8	9	10	11	12	

Form No. 0-10.—(Contd.)
Part II—Land Revenue

Demand										Arrears at the end of the year						Land Revenue of Siwai Chak included in Col. No. 6		Remarks	19															
Taqavi		Arrears		Reg. current year		Taqavi		Arrears		Reg. current year		Land Revenue of Shamlat Deb included in column No. 6		According to Chakbandi																				
1	Name of Samvat details	2	Samvat with details	3	Amount	4	Samvat with details	5	Amount	6	Land Revenue	7	Patwar fund	8	Others	9	Land Revenue	10	Samvat details	11	Samvat with details	12	Amount	13	Land Revenue	14	Patwar fund.	15	Others	16	Land Revenue of Shamlat Deb included in column No. 6	17	Revenue sanctioned for the current year	18

Form No. O-11

(See Para 223)

Register of villages.....Tehsil.....District.....Rajasthan..

[illegible]

Form No. O-11A.
(See Para 223-A)
Register of villages as prescribed by section 120 of the Rajasthan Land Revenue Act, 1956.

Names of villages	Area liable to fluidial action	Revenue or rent assessed	Names of persons responsible for payment	Area having pre-cious cultivation	Revenue or rent assessed	Names of persons responsible for payment	Area of which the Revenue or rent has been Released			Reference to the order and the authority granting release
							Area	Conditions of release, if any	Area	
1	2	3	4	5	6	7	8	9	10	

11	Remitted			Area of which the Revenue or Rent has been							23	
	12	13	Reference to the order and the authority granting remittance, if any	Redeemed			Assigned					
				14	15	16	17	18	19	20		21	22
	Conditions of remittance, if any	Reference to the order and the authority granting remittance	Area	Conditions of redemption, if any	Reference to the order and the authority granting redemption	Area	Condition of assignment, if any	Reference to the order and the authority granting assignment	Area	Conditions of compounding if any	Reference to the order and the authority granting compound	Remarks

Form No. O-12.
(See Para 224)

Register of Patwarkhanas, Tehsil.....District.....Rajasthan.

Name of Inspector with circle number	Patwari's circle number	Name of the village where the Patwar-khana is situated	Details of rooms	Name of year when it was constructed	Detailed report of the Inspector of Land Records regarding its condition	Action which is to be taken regarding its repairs	Remarks
1	2	3	4	5	6	7	8

Form No. O-13
(See Para 225)

Register of Grantees Tehsil.....District.....Rajasthan.

Serial No.	Name of village or land granted	Name of person to whom the land was originally granted	Reasons of grants made	Tenure of grant	Annual land revenue assumed at the time of grant	Reference of the sanction with date and No. etc. of land mutation	Name of the person in whose name the last mutation was sanctioned	Name of the deceased grantee
1	2	3	4	5	6	7	8	9

Date of sanction of mutation with name to the Department	Area				Mutation Fee collected	Collected Land Revenue with date and No. of receipt	Remarks	
	Khasra Nos.	Irrigated	Unirrigated	Un- culturable waste				Total
10	11	12	13	14	15	16	17	18

Form No. O-14.
(See Para 226)

Register of arrangements made for the allotment and collection of rents of unoccupied land
(Siwai chak) Tehsil.....District.....Rajasthan.

Details of unoccupied land (Siwai Chak)									
Serial No.	Name and No. of Patwar circle	Name of village	Name of tenant who surrendered or absconded from the land or from whose possession it was taken	Reasons of Siwai Chak	Khasra No.	Area	Land Revenue assessed by the Settlement Department	No. of Khataunis with Samvat	Date of order with reference to the file No.
1	2	3	4	5	6	7	8	9	10

Arrangement made regarding the cultivation of unoccupied land (Siwai Chak)

Name of cultivator with father's name, caste, residence to whom land is allotted	No. of Khatai Khataunis with Samvat	Khasra No.	Area	Annual Rent assessed to be recovered from the cultivators	Period for which allotted with Samvat	Date of sanction with reference to the File No. & the name of the office sanctioning the allotment	Remark
11	12	13	14	15	16	17	18

Form No. O-15.

(See Para 227)

Register of Nazool (Government Buildings), Tehsil.....DistrictRajasthan.

Name of village	Serial No. of entry	Description	Boundaries	Areas and measurements (when available)	Date and circumstances of acquisition	Khasra Number	Managing authority	Remarks	Plan or reference to Serial No. of plan on the corresponding portfolio
1	2	3	4	5	6	7	8	9	10

Note:—Forms O-16 and O-17—Register of Cases, and Register Peshi Muqadmat-omitted as these are the same as prescribed for the Tehsil clerks.

Form No. O 18.

(See Para 230)

Register of security of Patwaris, Tehsil.....District.....Rajasthan.

Serial No.	Name of Pat-wari with father's name, caste and residence	Date of appointment	Date of birth	Name of surety with father's name caste & residence	Amount of security	Details of im-movable pro-perty under security and its estimated value	Name of attesting Officer	Remarks
1	2	3	4	5	6	7	8	9

Note.—Form O-19-Register of Inspections by Revenue Officers-omitted as this is the same as prescribed for the Tehsil clerks

Form O-20.
(See Para 232)

Register of Deposition of Annual Records, Tehsil.....District.....Rajasthan.

No. of Patwar Circle	Name of Inspector of Land Records or Patwari	Name of village	Date of deposition of records with name of samvat year for which the record was deposited	Records deposited through Inspector								Deposited through Patwari			
				Jinswar Kharif	Jinswar Rabi	Jinswar Zaid	Milan	Khastara	Others	Khastara	Girdawari	Fard Tuda	Sehads and Chandas	Jambandi	Bahikbats Jins
1	2	3	4	5	6	7	8	9	10	11	12	13			

Siyaha with Parat
Arz-lrsal

14	Receipt Book	Fard Bandhh	Register of cattle census		Others		Remarks	
			16	17	18	19		

Form No. O-21.
(See Para 234)

Register of Daramad Baramad Kaghzat, Tehsil.....District.....Rajasthan.

Serial No.	Date of issue	Name of village	Description of record	To whom sent	Signature of recipient	Date of return	Signatures of Office Qanungo or Sadar Qanungo	Remarks
1	2	3	4	5	6	7	8	9

Form No. O-22.
(See Para 232)

List of papers contained in the Basta of Village Tehsil District Rajasthan.

(A) SETTLEMENT RECORDS.

Serial No.	Description of record	Year to which it relates	Date of filing	Signature of Sadar Qanungo or Office Qanungo	Date of destruction	Signatures of Sadar Qanungo or Office Qanungo
1	2	3	4	5	6	7

(B) ANNUAL RECORDS. ETC.

Serial No.	Description of record	Year to which it relates	Date of filing	Signature of Sadar Qanungo or Office Qanungo	Date of destruction	Signatures of Sadar Qanungo or Office Qanungo
1	2	3	4	5	6	7

Note:—In the case records kept at Tehsil Offices, columns 5 and 7 will be signed by the Office Qanungo instead of by the Sadar Qanungo.

Form No. O-23
(See Para 236)

Stock register of printed forms of Patwaris, Qanungos, etc. regarding land records Tehsil District Rajasthan

Name of forms	Date of receipt	From where received	Quantity received	Total No. of forms on the date of issue	Date of issue	To whom issued	Quantity issued	Balance after issuing	Signature of the official to whom issued	Remarks
1	2	3	4	5	6	7	8	9	10	11

Form No. O-24
(See Para 239)

Register of Indent of printed forms of Patwaris, Qanungos etc. District Rajasthan.

Serial No.	Name and No. of forms	Total No. of forms required	Excess @ 10%	Total	Stock in hand	Net requirements	Remarks
1	2	3	4	5	6	7	8

1. Patwari's forms:—
2. Inspector's forms:—
3. Office Qanungo's forms:—
4. Sadar Qanungo's forms:—

Form No. O-25.

(See Para 241)

Register of survey equipment & furniture in charge of Sadar
Qanungo, District/Office Qanungo, Tehsil Rajasthan.

Name of article	RECEIPTS				ISSUES			Signature of recipient or reference to the orders of condemnation	Remarks about the condition of instruments as found
	Date of receipt	From where received	Quantity received	Total No. of the article in stock on the date of issue	Date of issue	To whom issued	Quantity issued		
1	2	3	4	5	6	7	8	9	10
								Balance after issuing	11

Form No. O-26.

(See Para 242)

Register of Farari and Nau Abadi of cultivators, Village
Tehsil.....District..... ..Rajasthan.

DESERTER									
Serial Number	Name of village	Name of absconder with description	Period since when he was living in the village	Details of land and other property left	No. of family members and ploughing cattle which he took away	Date of absconding with reasons & the place where he went	Reference of report with date	Date of return and name of the person through whose efforts the return took place	Reasons of not returning back and brief remarks about the efforts made for return
1	2	3	4	5	6	7	8	9	10

NEWLY SETTLED						Remarks
Name of newly settled with fathers's name, caste and age	Details of persons & ploughs etc. which he brought	Name of place from where he came	Date of coming	Name of the person through whose efforts he settled	Condition of settlement	If an inhabited person absconded the entry will be made in this column and for reference the No. of absconding register will be entered
11	12	13	14	15	16	17

Form No. O-27.

(See Para 211; Item No. 26)

Weekly Weather and Crop report, District/Tehsil.....for the week ending.....

Name of District or Tehsil	Rainfall Recorded		Effect of past week's rain on				Any other unseasonal phenomena and their effect on crops
	Amount in inches and cents	Whether the amount is sufficient or excessive or poor	Preparatory tillage	Sowing	Transplantation if this is done for rice crop	Standing crops including the incidence of diseases and pests	Harvested produce
1	2	3	4	5	6	7	8
							9

A general appreciation of the standing crop as compared to last year's crop					Water supply for irrigation	Condition of cattle and availability of fodder	Availability of seed	Availability of Agricultural labour
Area under the crop		Condition of the crop						
More or same or less	Percentage	Better or same or worse	Percentage					
10	11	12	13		14	15	16	17

Instructions regarding Weekly Weather and Crop Report.

- Col. 4. Indicates whether ploughing is delayed, manuring of land held up etc.
5. Indicates whether sowing is suspended or re-sowing completed.
 6. Same as for sowing.
 7. Indicates whether crops are withering or flooded or whether flowering is hampered, or grains shrivelling. Indicates also whether Rust on wheat is increasing or Borer attack on sugarcane decreasing etc.
 8. Indicates whether food grains are being damaged on the threshing floors etc.
 9. Indicates whether high winds caused lodging and hailstorms caused shedding on grains etc. Estimate of the extent of damage, if any, is to be given.
 10. A general appreciation of the standing crops as compared to the previous year's crop should be given in this column. The appraisal should be regarding the area as well as the condition of the crop.
 11. As regards area, since it is not possible to give a quantitative estimate of the area under the crop, only a descriptive comparison of the area during the current year in relation to the last year's area may be given.
 12. Taking last year's crop as 100, an estimate of the increase or decrease in the area as a percentage should be given in this column.
 13. After the sowings are complete, the area will remain more or less the same till the crop is harvested but the condition of the crop will vary from week to week or at least fortnight to fortnight. The condition of the crop better, same or worse as compared to the last year's condition at the same time of the year should be given in this column.
 14. Taking last year's condition of the crop at the same time as 100, a quantitative appraisal of the condition during the current year should be given in this column i.e. by what percentage the condition of the crop is better or worse than last year.
 15. Whether water supply is adequate or inadequate.
 16. Whether seeds are adequate.
 17. Whether supply of agricultural labour is adequate or inadequate.

Form No. O-29.

(See Para 243)

Register of retail prices for the month of....., 195 , stated in
seers and chhataks per rupee, Tehsil.....District.... ..Rajasthan.

Tehsil	Weeks	Wheat		Barley		Gram		Jowar		Bajra	
		Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.
1	2	3	4	5	6	7	8	9	10	11	12
	1st Week										
	2nd Week										
	3rd Week										
	4th Week										
	Total										
	Average										

Maize		Rice		Urd		Moong		Moth	
Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.
13	14	15	16	17	18	19	20	21	22

Chola		Arhar		Oil		Gur		Ghee	
Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.	Sr.	Ch.
23	24	25	26	27	28	29	30	31	32

Form No. O-30
(See Para 260)

Specimen form for the District/Tehsil Forecast Return

(.....) Forecast Report on (.....) for the year.....District/Tehsil.....

Description of area		Area (in acres)										(Yield in tons/bales)				Annua valuation of the crop and yield per acre in lbs.		Harvest prices in Rs. per md.	Remarks
		Of current year's crop		Of previous year's crop		Average of preceding 5 years		%age of area irrigated in the current year		%age by which Col. 2 exceeds or is less than		%age by which Col. 8 exceeds or is less than		Col. 10	Col. 9	Col. 11	Col. 12		
		2	3	4	5	6	7	8	9	10	11	12	13							14
I																			
Reporting areas	Irrigated Un-Irrigated Total																		
Non-Reporting areas	Irrigated Un-Irrigated Total																		
District. Total	Irrigated Un-Irrigated Total																		
Tehsil.																			

REMARKS—1.

- Were the sowings early or normal or late ?
- Causes of decrease or increase in area and production for the current year.
- Did the harvesting commence in time ?
- Specify gross areas under mixed crops separately in the final forecast, in the remarks column.

NOTE—Forms Nos. O-31, Despatch Register, and O-32, Receipt Register, omitted as these are the same as prescribed in the Tehsils.

Date.....
Signature.....

Form No. O-33.

(See Para 223-C and 389)
ALLUVION AND DILUVION REGISTER

Tehsil.....District.....Rajasthan.

Serial No.	Name of villages	Khasra Nos.	Area	Soil Class at the time of settlement	Names of persons cultivating or otherwise holding or occupying the area.	AREA AFFECTED BY ALLUVION				Amount assessed
						Area rendered unfit for cultivation by alluvial action with soil class	No., date and substance of the report of Patwari	Substance of the final orders with reference to the No. and date		
1	2	3	4	5	6	7	8	9	10	

AREA AFFECTED BY DILUVION

Area rendered unfit for cultivation by diluvial action.	No., date, and substance of the report of Patwari.	Substance of the final orders with reference to the No. and date.	Amount of revenue ordered to be decreased.	Remarks.
11	12	13	14	15

PART IV.

TRAINING SCHOOL FOR PATWARIS AND QANUNGOS.
CHAPTER I.

Patwar School.

Maintenance, Control and Supervision.

263. *Maintenance of a School.*—It will be the duty of the Collector of each district to examine the strength of Patwari candidates in his district and see whether 20% qualified candidates of the sanctioned strength are available for appointment. If he finds that such number is not available and the Patwaris, who are already in service, also require training, he may submit proposals to the Board of Revenue for opening a school in his district. The Board will examine the proposals having in view the number of candidates readily available for appointment in other districts and if the Board is satisfied that the opening of a school is necessary in any district or districts, a provision will be made in the next year's budget and necessary sanction will be obtained. The school will be located at the headquarter of the district. If, in any year the requirements of a district make it indispensable that an additional school be opened, the Collector will submit his proposals to the Board of Revenue.

264. *Control.*—The school shall be under the control of the Collector of the district where it is located. He may appoint the Assistant Collector of the headquarter to be incharge of the school.

265. *Supervision.*—(i) The Officer-Incharge shall be responsible for the proper working of the school. He should satisfy himself by occasional inspections that the instructions in all sections of the course are being given in accordance with these rules. He should also now and then watch the survey and map correction classes at work and should satisfy himself that regular classes in these subjects are held that all scholars attend these classes and receive regular instructions and that a sufficient area is surveyed by each candidate. In his periodical visits to the school, he should check the accounts and the stock of survey instruments and should note in an inspection book any defect that he has observed and any orders that he has issued.

(ii) On no less than two mornings in each month the survey and map correction classes shall be watched while at work, once by the Sadar Qanungo and the second time by the Tehsildar or the Naib-Tehsildar of the headquarter Tehsil. They should also frequently visit the school and satisfy themselves that instructions both in the school and in the out-door classes are being given in accordance with these rules. When any of these officers inspects the school, he should check the attendance roll, the accounts and the stock of survey instruments and should note in the Inspection Book any defects that he may notice and should submit the book to the Officer Incharge for orders.

CHAPTER II.

Rules re: the appointment and condition of Service of the Head Masters and Teachers of Patwar Schools.

266. *Appointment, Qualifications etc.*—(i) When the post of the Head Master or a Teacher of a Patwar School falls vacant, the Collector shall immediately report the facts to the Board of Revenue (Land Records).

(ii) Appointment of Head Master will ordinarily be made by promotion from amongst teachers, whose names shall be borne on a list maintained by the Board of Revenue. Promotion of teachers to the post of Head Master shall be made by seniority, subject to their being considered fit for the appointment.

(iii) Appointment of teachers shall be made from the list of Inspectors of Land Records, Assistant Sadar Qanungos and Office Qanungos approved for appointment as teachers, which shall be maintained by the Board of Revenue.

(iv) When there is a vacancy in the list of approved candidates the Board of Revenue shall, after inviting applications and considering them, select a candidate or candidates best suited for appointment.. The qualifications of candidates to be entered in this list shall be :—

- (a) Domicile in Rajasthan;
- (b) Age not exceeding 35 years at the time of approval as a candidate for entry in the list;
- (c) Minimum educational qualifications: Matriculate or any other equivalent examination;
- (d) Experience: At least five years experience of performing the duties of an Inspector or Office Qanungo or both put together; and
- (e) State of health:—He should be free from any physical defect which is likely to interfere with the efficient performance of his duties.

Provided that in special cases the Board of Revenue may grant exemption from the age limit prescribed, if considered necessary, in the public interest or in the interest of fair dealing and waive the qualifications regarding education or may reduce the period prescribed for experience.

(v) No recommendation either written or oral other than that of the authority under whom the applicant is working and through whom the application is forwarded shall be taken into consideration. Any attempt on the part of a candidate to enlist support by other means directly or indirectly shall render him liable to disqualification.

267. *Training in Survey Patwar Rules and Record writing.* Ordinarily one Head Master and one Teacher will be appointed for each school and the work of teaching and training the candidates will be divided among them, in view of their proficiency in each

subject, with the approval of the Officer-Incharge. If the number of candidates exceeds 40, one more Teacher will be attached to the school. The Head Master and the Teacher will be given an allowance in addition to the pay and allowances they might be drawing on their substantive appointments.

268. *Postings and Transfers.*—The Head Master and Teachers shall be posted to districts by the Board of Revenue. The staff for each school will be fixed from time to time with reference to its needs. Transfers shall be made by the Board of Revenue.

269. *Leave.*—(i) The Collector may grant leave, which is due, to a Teacher or Head Master for a period not exceeding one month where the remaining staff can carry on the work of the school efficiently and no substitute is required. If leave is required for a longer period, or if a substitute is necessary, the application shall be forwarded to the Board of Revenue with the Collector's recommendation as far as possible before the leave is required. In emergent cases when time does not permit of the Board's orders being obtained, the Collector may grant leave and make necessary temporary arrangements and report his action without delay to the Board of Revenue.

(ii) The Head Master or the Teacher of the Patwar School must obtain permission of the Collector of the district through the Officer-Incharge of the school before accepting private tuition. Permission to undertake private tuition of a scholar reading in the school should be granted sparingly only for special reasons, which should be recorded.

270. *Punishments.*—(i) The Head Masters and Teachers are for purposes of discipline under the control of the Collector of the district to which they are posted. The Collector may, enquire into cases of neglect of duty or other misconduct on the part of the Head Master or Teacher, and may inflict any of the punishments enumerated in paragraph 177 of the Rules except removal or dismissal. For the infliction of punishments of removal or dismissal the Collector shall submit the proceeding with his recommendation to the Board of Revenue, empowered to remove or dismiss a Teacher or a Head Master.

(ii) In all cases in which the dismissal or removal or reduction of a Patwar School Teacher or Head Master is contemplated the procedure laid down in paragraph 14 (iv) of these Rules shall be followed.

(iii) All orders of punishments, passed by the Collector, shall be reported for the information of the Board of Revenue. If the Collector decides to reduce a Head Master to the Rank of a Teacher, he shall communicate his decision for approval to the Board of Revenue before giving formal effect to it. On receipt of the information, changes, if any, required to be made in the teacher's list, shall be made in the Board of Revenue.

271. *Appeals*.—Appeals against the order of punishments under the preceding paragraph shall be regulated by the Rajasthan Civil Services (Classification, Control and Appeal) Rules of 1950.

CHAPTER III.

Admission, Training and Examination of Patwar School Candidates.

272. *Condition for Admission*.—(i) Candidates for Admission to Patwar Schools will be (a) Patwaris and (b) other candidates

(a) Patwaris, who have been appointed subject to the condition as laid down in paragraph 4 (c) and have still to pass the examination, will be allowed to attend the school with the permission of the Collector. Patwaris appointed conditionally will ordinarily be removed if they fail to pass the examination within two years.

(b) Other candidates nominated by the Collector may also be admitted in the school to the extent of the accommodation available.

(ii) All candidates must have passed the Vernacular Final or Prathma Examination of the Hindi Sahitya Sammelan or an equivalent or higher examination and must have completed 18 years of age on or before the date of Admission.

(iii) The Board of Revenue may relax the minimum educational qualification to one not lower than the Upper Primary Class of Vernacular school in Particular areas or in individual cases deserving special consideration.

(iv) No candidate, who has once been enrolled in any Patwar School, will be admitted to another similar school except for sufficient reasons to be certified by the Officer-Incharge. A certificate of qualifications obtained by concealing the facts of previous enrolment in another school shall be void.

273. *Application for Admission*.—An application for admission will be made to the Collector of the district in which the candidate resides. The Collector will select suitable candidates for training in accordance with the requirements of his district keeping in view the average number of annual vacancies in the Patwari's cadre and the number of passed candidates available in his district for employment. By the middle of May, he will report to the Board of Revenue in the appended from the number of candidates selected by him from each class. On receipt of this information from all the districts, the Board will decide, keeping in view the number of candidates who have failed in the last examination or have been declared compartmental and are eligible for re-admission and re-examination, the number that can be trained for each district and will communicate it in good time to the Collector of the district in which the school is to be opened before the commencement of the session.

Name of Distt.	Sanctioned strength of Patwaris in the District	Average No. for annual vacancies	No. of passed candidates available in the district	No. of Candidates Selected for Admission			Remarks
				Conditional Patwaris in service	Others	Total	
1	2	3	4	5	6	7	8

274. *Fines and Registers.*—Any scholar who absents himself from the school without leave will be liable to a fine of six Naye Paise for each day during which he remained absent; the fine should be doubled when the absence is in continuation of a school holiday. The fine will be imposed under the order and subject to the discretion of the Officer-Incharge of the school. Fines must be paid by the 15th of the month following that in which they were imposed

(ii) If any fine is not paid by the prescribed date, the scholar will be liable to a fine of six Naya Paise for every day during which the default continues, subject to a minimum of fifty Naye Paise and if he fails to deposit by the 1st of the next month all fines then due from him, his name will be removed from the roll under the order of the Officer-Incharge.

(iii) If a scholar is absent without leave for more than 15 days continuously, his name will be removed from the roll with the approval of the Officer-Incharge.

(iv) The Head Master shall maintain an attendance and fines register, scholar's register and a receipt book for fines in the form prescribed by the Board of Revenue. He shall issue receipts for all fines received and shall credit them into the Treasury without delay as "Patwar School Receipts." Receipts obtained from the Treasury for the sum credited shall be kept carefully pasted in the fines register.

275. *Discipline.*—(i) The collector may at any time, during the session, impose on a scholar a fine not exceeding Rs. 10/- or expel him from the school or examination for insubordination or any other misconduct.. An expelled scholar shall not be admitted to any other Patwar school and the Collector on expulsion shall report to the Board of Revenue the name of such scholar for communication to other schools. The collector may also remove from the school, after three months training, a scholar who is idle or incorrigible or whose intellectual power is so deficient that there is no prospect of his being successful in the final examination. In such a case the Collector shall personally satisfy himself either by his own examination, or from the report of the Officer-Incharge of the school, that the scholar is not likely to benefit by continuing his

studies at the school. The order of the Collector in such cases shall be final.

(ii) The Board of Revenue may, at any time, cancel the Patwar Examination certificate of a candidate if it is satisfied on a report of the Collector that the candidate has been guilty of serious misconduct in circumstances connected with his securing the certificate provided that no candidate's certificate will be cancelled unless either his explanation has been taken or he refuses to give his explanation or he is not traceable. The Board of Revenue may also intimate his case to Government for debarring him from service in the State of Rajasthan in case the Board is satisfied that he deserves such punishment.

276. *Course*.—The following course is prescribed :—

(a) Practical survey with the plane table chain and optical square;

(b) Map work including the correction of maps, extraction of areas with the area-comb, tracing and redrawing maps from corrected copies.

(c) Plane mensuration, including definitions, areas and lengths, relation between acre and bigha, square roots, triangles, rectangles, quadrilaterals, parallelograms, squares, circles, elliptic and curved figures and field books;

(d) Arithmetic, including the four elementary rules, vulgar and decimal fractions, method of practice H. C. F. and L. C. M., recurring decimals, unitary method, ratio and proportion, profit and loss and simple and compound interest;

(e) The Land Records Rules of Rajasthan;

(f) Reading of printed matter and manuscript and writing with special attention to penmanship in the Devanagri script.

(g) Preparation of specimen records, registers and statements enumerated in paragraph 48:

277. *Instructions in Survey*.—Practical survey shall be taught for not less than three mornings a week throughout the period when the school is open. Each scholar should be made thoroughly familiar with the use of the plane-table, chain, measuring rod, optical square, scale and compasses. Instructions must be given both with the Gunter's chain and acre-scale corresponding to the local Settlement bigha. Each scholar must be given sufficient practice in surveying considerable areas to ensure the formation of the habit of surveying with accuracy and facility.

278. *Instructions in Map Correction*.—When the trainees have become familiar with the use of the instruments and have actually surveyed a certain area satisfactorily, they must receive practical training in the different branches of map correction. Each trainee must learn how to correct a map from fixed points, how to fix points from which new cultivation can be mapped, how to fill in details on the map and how to distribute chain errors.

279. *Instruments*.—There should ordinarily be one complete set of instruments in good order for every six scholars and the Head Master should be held responsible for their custody. He must maintain a stock book in the prescribed form and must submit to the Sadar Quanungo by the 1st of June a list of the instruments in stock, noting any which may have become unserviceable or require repairs.

280. *Text Books*.—Text books in Arithmetic and Mensuration and Hindi will be prescribed by the Board of Revenue from time to time.

281. The school term will commence on the 1st July each year and end with the examination in the month of April following. Scholars, whether previously in the school or not, may be permitted to join the class only during the first fortnight of the term. Orders for admission passed after 15th July shall be given effect to from the beginning of the next session; special cases may be referred to the Board of Revenue for orders.

Patwar Examination Rules.

282. (i) The Patwar Examination shall be conducted under the directions of the Board of Revenue.

(ii) The subjects for the examination, the maximum marks and the time allowed for each paper shall be as shown below :—

S u b j e c t s	Maximum marks	Time allowed for the paper.
1. <i>Land Records</i> .		
(a) Land Records Rules	100	3 hours.
(b) Preparation of records	100	—do—
2. <i>Mathematics</i> .		
(a) Arithmetic	100	—do—
(b) Mansuration	100	—do—
3. <i>Hindi</i> .	100	—do—
4. <i>Survey</i> .		
(a) Survey and Map drawing	100	—do—
(Thoory)		
(b) Survey & map drawing	100	—do—
(Practical)		

(iii) The Setters, Examiners and Tabulators shall be appointed by the Board of Revenue and shall be remunerated at the rates sanctioned by the Government from time to time.

(iv) To pass the Patwar Examination, it is necessary to obtain at least 33% of the maximum marks in each subject. But a candidate who fails to obtain 33% of marks in any one subject only except survey but obtains 33% in the aggregate may be allowed to appear in that subject alone in the next examination and on passing the examination in the subject shall be declared to have passed the examination.

(v) The following candidates shall be eligible to appear at the Examination :—

(a) Candidates who are on the roll of the Patwar schools and have attended the school for at least 75% of the working days of the whole sessions; or

(b) Patwaris, who have been employed whether permanently or temporarily by any Government Department, and the Court of Wards;

(c) Candidates who have failed in the Patwar Examination during the last two examinations, candidates or Patwaris, who fail in three examinations shall not be allowed to sit again at any Patwar Examination. They shall be removed from the establishment if they are already in service, and if not in service; shall not be appointed even conditionally or temporarily; and

(d) [Omitted]

Patwaris, Hawaldars, Taffedars and Amins, who have been employed temporarily or permanently in the Land Records Department will be exempted from appearing in the paper on Hindi if they have worked as such for more than three years and have produced a certificate from the Collector concerned to the effect that they possess a good working knowledge of Hindi.

(iv) All the candidates who want to appear at the Patwar Examination, shall fill in the application form appended to these rules. The regular Patwar School candidates shall fill in this form in the presence of the Head Master of their School, while all other candidates shall fill in this form before the Collector or any officer, not below the rank of a Sub-Divisional Officer, specially authorised by the Collector for this purpose. The examination fee for the regular Patwar School candidates shall be Rs. 5/- while for others it will be Rs. 8/-. This fee must be deposited with the application form.

(vii) The Patwar Examination shall be held at the centres and on dates prescribed from time to time by the Board of Revenue.

(viii) At each centre, the Collector shall appoint an Examination Committee :—

(a) S. D. O. of the district headquarter.....Chairman

(b) Two Tehsildars of the District from which Members
the candidates are eligible to appear at the
centre, and

(c) as many other officers as are deemed necessary
for supervision of the Examination -do-

ix) For written examinations the Chairman shall have a chart prepared showing the seating arrangement of the candidates in the Examination Hall. The chart shall be kept on the file relating to the Examination. The private candidates, as far as possible, will be seated alternately with the school candidates.

(x) The answer books and ink-pots will be supplied by the Board of Revenue so as to ensure uniformity and as a measure of safeguard against unfair means.

(xi) Any candidate found copoing or allowing other candidates to copy or indulging in and other mal-practice shall be liable to be turned out from the Examination Hall by the Chairman, and may be debarred from appearing at the sub-sequent papers.

(xii) At the end of the examination, the Chairman shall send the answer books in a sealed cover to the examiner, according to the directions of the Board of Revenue.

(xiii) No candidate shall communicate with an examiner in connection with his answer book and if any body does so, his result may be with held and he may be disallowed to appear at the future examination for such period as the Board of Revenue may deem necessary.

(xiv) The result of the examination shall be announced at the end of 7 weeks. Marks sheet can be obtained from the Office of the Secretary, Board of Revenue (Land Records) on payment of a fee of rupee one.

(xv) Each examiner shall return the answer books within one month.

(xvi) The answer books shall be kept for six months after the announcement of the result. Any candidate, who wants scrutiny of his marks and re checking of his result, may apply within one month after the announcement of the result. The fee shall be Rs.5/- and for compartmental candidates in one subject Rs. 2/- only and this shall be paid with his application.

(xvii) The result shall be announced in the Rajasthan Gazette and no candidate should correspond with the Board of Revenue for the communication of the result to him.

(xviii) A certificate in the form appended to these rules, shall be issued to each candidate, who is declared successful at the examination within six months after the announcement of the result.

Rules regarding Recruitment and Training of Land Records Inspectors.

283. The Government will maintain a Training School for the Inspectors of Land Records.

284. Selection of candidates for admission to the School will be made :—

- (i) by direct recruitment for 60% of the vacancies, and
- (ii) by selection from the staff of Revenue, Land Records, Settlement, and Irrigation Departments who possess the requisite qualifications as specified in paragraph 285 for the remaining 40% of the vacancies.

285. *Direct recruitment.*—The Board of Revenue will notify in the Gazette the actual number of vacancies that will be filled up by direct recruitment and the number that will be allotted to the scheduled castes and tribes out of these vacancies.

286. Candidates, intending to apply for 'selection, must possess the following qualifications:—

- (i) that he has passed the High School Examination or any other equivalent examination recognised by the Government;
- (ii) that he is not less than 18 years and more than 24 years of age on the first day of the month in which his selection is made for admission to the said school;
- (iii) that he is of good physique, normal eye-sight (without use of spectacles) and active habits; and
- (vi) that he is of good character.

287. A competitive examination will be held by the Public Service Commission, selection for which will be made in the manner described in the following paragraphs:—

288. *Mode of Selection.*—(i) The candidates possessing the qualifications prescribed in paragraph 286 and desirous to appear at the examination, shall apply to the Collectors of their respective districts in which they are resident in form given below so as to reach the Collectors on a date which will be notified in the Rajasthan Gazette:—

**Form of Application for Admission to the Qanungo and
Inspectors Training Schools.**

1. Name
 1. Father's name
 3. Father's occupation
 4. Caste (Specify in case you belong to a Scheduled caste or tribe).....
 5. Residence (with name of Tehsil or District)
 6. Age.....
 7. Qualifying Examination passed.....
 8. Remarks by Collector....
- (ii) Such application must be accompanied by:—
- (a) a certificate of nationality, domicile and residence signed by a Gazetted Officer of Rajasthan;
 - (b) a copy of the certificate of the qualifying examination attested by a Gazetted Officer of Rajasthan;
 - (c) proof of age entered in the application;
 - (d) Certificate of good character from the Principal of the College or the Headmaster of the school, in which the applicant was last educated, and from two responsible persons of status (not related to the applicant)who are well acquainted with him in private life and are unconnected with his University, College or School;
 - (e) treasury receipt for the fee of Re 1/- prescribed in paragraph 294;

- (f) a certificate, in case of the applicant's belonging to scheduled castes or tribes by a Gazetted Officer of Rajasthan, testifying that the applicant belongs to a scheduled caste or tribe;
- (g) a statement from the candidate, showing whether he at the time of making the application, is in Government service or in the service of a Local Body, or a private employer, and if so, whether:—
- (i) he has secured the permission of his employer before applying; and
- (ii) he would, if selected for admission to the Qanungo Training School, resign immediately from the service of the Local Body or from the private employment.

289. (i) The Collector will forward the applications of as many candidates as he thinks suitable, to the Commissioner of the division for the consideration of the Divisional Selection Committee.

(ii) Before forwarding the applications, the Collector will countersign each one of them and their respective enclosures, by way of attestation that the entries contained in them are correct.

(iii) A treasury receipt of the fee of Rs. 4/- prescribed in paragraph 294 shall accompany the application.

(iv) The application will be forwarded by the Collector to the Commissioner by a date which will be specified by the Board of Revenue.

(v) The Board of Revenue will fix a quota of candidates to be thus recommended from each district by the Collector according to the requirement of each district.

290. A Divisional Committee will be formed and convened by the Commissioner, which shall consist of the following members:—

- (a) Commissioner Chairman.
- (b) Assistant Director of Land Records Member-cum-Secretary
of the region.
- (c) One Collector of the Division. Member.

291. (i) The applications forwarded by the Collectors will be placed before the Divisional Selection Committee, which will select the required number of candidates, the quota for the division being fixed by the Board of Revenue.

(ii) The Committee will arrange for the candidates' physical fitness to be tested by a cross-country walk of 8 miles within a specified time. Selections will be from those who fulfil the physical test.

(iii) In making the final selection, the Committee will give preference to candidates who have rural bias, and will, as far as possible, secure due representation of members of scheduled castes and tribes.

292. The Commissioner will forward the applications of candidates thus selected to the Secretary, Rajasthan Public Service

Commission, Jaipur, so as to reach him by a date to be specified by the Board of Revenue.

293. (i) The examination will be held at Jaipur or at such place as may be fixed by the Public Service Commission. Candidates permitted to appear at the examination will be informed by the Commissioner of the date, place and hours of the examination.

(ii) The Board of Revenue will inform the Public Service Commission of the number of candidates who will be admitted to the Training School on the result of the competitive examination.

294. (a) Candidates must pay the following fees to the Collector:—

- (i) Re. 1/- with the application.
- (ii) Rs. 4/- if recommended for interview before the Divisional Selection Committee.

NOTE:—The fees may be deposited in a Government Treasury or any banking treasury authorised to transact business on behalf of the Government, under the head "Land Revenue, Land Records-Examination Fees for Land Records Inspectors Competitive Examination". The Treasury receipt must be attached to the application at the first stage and at the second stage it must reach the Collector at least one week before the interview.

(b) To the Public Service Commission Rs. 10/- if selected for admission to the Examination.

NOTE:—This fee will be deposited under the head "Public Service Commission" and the Treasury receipt forwarded to the Public Service Commission so as to reach them 15 days before the commencement of the examination.

(iii) Failure to pay the fee in time at any stage will render the application of a candidate liable to summary rejection. The fee will not be refunded in any circumstances nor will it be held over for any subsequent examination or selection for examination.

295. The following are the subjects for Examination and the marks obtainable for each :—

	Marks
(1) English Translation from Hindi into English	50
(2) English Composition	50
(3) Plane Mensuration	100
(4) Arithmetic, Geometry equivalent to the first four and the sixth book of Euclid, with easy deductions.	100
(5) Hindi dictation and reading both print and manuscript.	100
(6) General knowledge	100

A candidate must obtain 33% of marks in each subject to qualify for admission to the school.

NOTE:—The use of a pair of compasses and rule will be permitted.

296. The Public Service Commission will prepare a list of the candidates and send to the Board of Revenue the names of all

candidates who have secured the qualifying marks prescribed under paragraph 295 arranged in the order of merit on the basis of the aggregate marks obtained by each candidate and the Board of Revenue will make admissions to the School out of the list in the same order.

297. (i) Out of the candidates, thus selected for admission to the Training School 15 % of the seats are reserved for candidates belonging to the scheduled castes or tribes who are able to secure the qualifying marks prescribed in paragraph 295.

(ii) In the event of such candidates failing to secure the qualifying marks the Board of Revenue is authorised to nominate such number of candidates for admission to the school as is prescribed under this paragraph provided they fulfil the qualifications and conditions prescribed in paragraph 296 and are certified to belong to such castes or tribes by the Collector of the district in which they reside.

298. The candidates who are ultimately selected for admission to the Qanungos' and Inspectors' Training School will be required to produce a medical certificate of fitness signed by the District Medical and Health Officer of a District in Rajasthan.

299. The candidates finally selected by the Board of Revenue will be admitted to the Qanungo Training School and shall be eligible for a stipendary allowance as sanctioned by Government from time to time.

B. Selection from the staff of Revenue, Land Records, Settlement and Irrigation Departments.

300. The conditions which qualify Government servants for admission to the Training School are:—

- (i) that the candidate is in the employment of the Revenue, Land Records, Settlement or Irrigation Department;
- (ii) that he is not above 40 years of age on 1st day of the month in which he is selected for admission to the said training;
- (iii) that he possesses knowledge of English *ceteris paribus*;
- (iv) that he has passed a regular Patwar Training Examination conducted by the Land Records Department, Rajasthan, or by any covenanting State; and
- (v) that he possesses 5 years' experience as a Patwari, Hawaldar, Tappeddar, Amin, Irrigation Moharir or as a Teacher in a Patwar Training School;

or

has worked as a Surveyor, Soil Classifier or Inspector for an aggregate period of two years in the Record or Settlement operations;

or

has satisfactorily officiated as an Inspector (Girdawar Qanungo) Office Qanungo or Assistant Sadar Qanungo for a period of two years;

or

has held the post of a probationary Naib-Tehsildar having completed the training for that post; and that he is of good physique, normal distant eyesight (without use of spectacles) and active habits.

301. (i) Persons fulfilling the qualifications and conditions specified in paragraph 300 and who are desirous of admission to the Qanungo and Inspectors Training School, shall apply to the Board of Revenue through the Collectors in case of Revenue or Land Records staff in the districts and through their heads of departments in case of others, by a date which will be notified by the Board of Revenue.

(ii) The Board of Revenue shall then select candidates on the basis of merit. Preference may be given to candidates with better proficiency in field survey or with better educational qualifications.

(iii) Candidates selected will be admitted to the Qanungos Training School and will, while under training, get an allowance equal to their grade pay the pay of their substitute falling on the budget of the Land Records Department.

302. *Training.*—(i) Candidates selected for admission to the Qanungos and Inspectors Training School shall undergo training for nine months.

(ii) The course of training at the school shall consist of survey (including survey by theodolite and Prismatic Compass; Mensuration, Land Record Rules; Revenue and Tenancy Acts and Procedure, Practical Agriculture and Hindi).

303. *Removal from the Training.*—(a) At any time during the course of the training the Board of Revenue may, on the recommendation of the Principal, remove from the school any candidate when satisfied that such candidate is undesirable or unsuitable for appointment as Qanungo or Inspector.

(b) Any of the candidates admitted under paragraph 301 if removed under paragraph 303 (a) will be reverted to the post which he held immediately before his admission to the school.

304. At the end of the school session, a qualifying examination will be held in each subject arrangements for which will be made by the Board of Revenue Candidates failing to pass this examination will not be eligible for appointment as Qanungos or Inspectors and will not re-admitted to the school, unless specially ordered by the Board of Revenue.

305 (i) All candidates who pass this examination will receive the diploma of the Qanungos and Inspectors Training School.

(ii) Provided that the candidates admitted under paragraph 299 and such of the candidates admitted under paragraph 301, as have not done survey work independently, will not get the diploma, until they have undergone further practical training in survey and preparation of records for a period of three months in areas under survey and records operations or in any district where special arrangements have been made by the Board of Revenue for this purpose, and until they have obtained a certificate of proficiency on the completion of such training.

PART V SADAR QANUNGO

Sadar Qanungo.

Notes

Rules under this part prescribe and regulate matters regarding appointment, qualifications Conditions of Service and duties of Sadar Qanungos. Sections 34 and 35 of the Act authorise the State Government to frame these rules.

306. *Strength*.—One Sadar Qanungo will be appointed in each district.

306-A. *Pay*.—The pay of all the Sadar Qanungos is personal and does not depend on the district to which a Sadar Qanungo is posted. To begin with a Sadar Qanungo will be appointed on the lowest grade of the sanctioned scale of pay. The scale of pay and allowances of the Sadar Qanungo shall be as sanctioned by the Government from time to time.

307. *Sources of Appointment*.—Appointment to the posts of Sadar Qanungos shall be made by the Board of Revenue by promotion from the cadres of Inspectors of Land Records, Office Qanungos and Boundary Inspectors (including Senior Boundary Inspectors) provided they have passed the Matriculation examination or any higher or equivalent examination recognised by the Rajasthan Government. (Vide R.D. Notification No. F. 9 (69) Rev. B/57 dated 11th September, 1957.)*

*No. F. 9 (69) Rev-B/57.—In exercise of the powers conferred by clause (b) of section 260 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act No- 15 of 1956) the State Government hereby directs that the duties imposed and powers conferred on the officers specified in the column 4 of the sub-joined table by the sections of the aforesaid Act, mentioned in the second column of the said table shall be performed and exercised by the officers specified in the fifth column thereof.

S. No.	Section of the Act.	Nature of powers.	Authority specified in the section	Authority to whom power delegated.
1	2	3	4	5
1-	33	Powers to appoint Girdawar Qanungos or Land Records Inspectors.	Collector.	Commissioner.

2	34	Power to appoint Director of Land Board of Revenue. Sadar Qanungos. Records.
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NOTE—Exemption from the educational qualifications may, for special reasons, be granted by the Board of Revenue.

308. *Procedure of appointment.*—(i) For the purpose of appointment, a selection shall be made on the basis of merit and seniority from amongst the Inspectors and Office Qanungos, who are eligible for promotion under the proceeding paragraph.

(ii) From time to time nomination of Inspectors and Office Qanungos for promotion to the service of Sadar Qanungos shall be called for by the Board of Revenue from the Commissioners. The Board may fix a date by which nomination shall be received and the number of nominations to be made by each Commissioner, on a consideration of the number of vacancies and strength of Inspectors and Office Qanungos in the division. Number of vacancies will be intimated to the Commissioners by the Board of Revenue.

(iii) Commissioners shall before making nomination, consult the Collectors of their respective divisions.

(iv) The Board of Revenue shall, after examining on merits and seniority the cases of all candidates, who were nominated, select such candidates as appear to be suitable.

309. *Canvassing.*—No recommendations, either written or oral, other than those of the nominating authority, will be taken into consideration. Any attempt on the part of the candidate to enlist support directly or indirectly for his candidature by other means will disqualify him for appointment.

310. *List of approved candidates.*—The Board of Revenue shall maintain a list of candidates selected for promotion to the service and shall arrange the names of candidates in that list according to the date of their selection, provided that candidates selected on the same date shall stand on the list of Sadar Qanungos according to their seniority in the cadre of Inspectors, Land Records. A copy of the list will be sent to the Commissioners of the divisions for making temporary officiating appointments in cases of leave vacancies etc.

311. *Appointments.*—Appointments to the service shall be made by the Board of Revenue in order of seniority from the list maintained under the above paragraph.

312. *Probation and Confirmation.*—(i) After selection, a candidate shall not be confirmed until he has completed one year's service on probation. Services rendered in officiating or temporary vacancies may be taken into account in computing the period of probation.

(ii) On completion of the period of probation the Board of Revenue may confirm a candidate, if his work has been satisfactory

or may, extend the period of probation. Any such extension shall specify the exact date upto which the extension is granted.

(ii) The Board of Revenue may revert a candidate to his substantive post at any time during his probationary period, if it is found that his work is not satisfactory for any reason.

313. *Transfers.*—The Commissioner of a division may transfer a Sadar Qanungo from one district to another in his division. The transfers from one division to another will be sanctioned by the Board of Revenue.

313-A. *Leave.*—Casual, privilege and other sorts of leave may be granted by the Collector of the district, if no substitute is required. In case a substitute is required, the leave will be granted by the Commissioner of the division who will make temporary officiating arrangement from amongst the list of selected candidates of his division.

314. *Punishments.*—(i) The Collector may of his own motion or at the instance of any other officer enquire into cases of neglect of duty or other misconduct on the part of a Sadar Qanungo. He may, after hearing the Sadar Qanungo, order his suspension giving the reasons therefor. If the case calls for a severe punishment other than those which the Collector can himself inflict he shall submit the proceedings with his recommendation to the Commissioner of the division.

(ii) The Collector can inflict the following punishments :—

(a) Censure.

(b) Withholding of increments for two years.

(c) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of law.

(iii) In addition to the above, the Commissioner of the division will have powers to inflict on the Sadar Qanungo the punishments of :—

(a) Withholding of increments for three years;

(b) Reduction upto three stages in time scale of pay.

(iv) The Board of Revenue is empowered to reduce the Sadar Qanungos, in rank or to remove or dismiss them from service.

(v) In all cases in which any punishment is inflicted on any sadar Qanungo, the procedure laid down in paragraph 14 (iv) shall be followed.

315. Appeals will be regulated by the provisions of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1950.

316. *Peons and Clerks.*—(i) Each Sadar Qanungo will be allowed one Assistant Sadar Qanungo and as many clerks as may be required to meet the needs and requirements of the district. The strength of the ministerial staff will be fixed by the Board for each district and appointments will be made by the Commissioner of the division from amongst the Land Records staff having experience of field work. The Post of the Assistant Sadar Qanungo will be of the status and interchangeable with the Inspectors and office Qanungoes and those of the clerks with the Lower Division clerks of Rajasthan.

(ii) Each Sadar Qanungo will be given one peon.

For the purpose of promotion, Land Records clerks and peons will remain on the Collector's staff and will be governed, as regards all conditions of service, by the same rules as are applicable to the other staff of the Collectorate.

317. *Duties of Sadar Qanungo.*—The Sadar Qanungo is intended to be an executive and advisory officer in the Collectorate in all matters pertaining to land records. His duties fall under the following heads :—

- (i) Supervision of Qanungos (Inspectors and Office Qanungos);
- (ii) Supervision of Patwar Schools;
- (iii) Compilation of statistics and returns and progress reports regarding land records work of the subordinate Revenue officers.
- (iv) Maintenance of registers;
- (v) Preparation of pay bills;
- (vi) Preparation of indent and distribution of land records forms;
- (vii) Preparation of indent of survey instruments, their distribution and supervision;
- (viii) To keep in safe custody the settlement records and the records received from the Tehsils and to make entries therein from time to time.
- (ix) Miscellaneous.

318. *Returns and Diaries.*—The Sadar Qanungo is responsible for the examination of all monthly progress returns of work received from the Inspectors of Land Records and Revenue Officers. The returns of the Revenue Officers should reach the Sadar Qanungo within five days from the date on which they are closed. The examination should be completed within one week, so that defects, if any may be promptly brought to the notice of the official concerned.

(2) The Sadar Qanungo is required to scrutinize carefully the returns with a view to satisfy himself that the work of every Reve-

nue Officer and Inspector is reasonably up-to-date, that arrears are not accumulating, that no Inspector is wasting his time by faulty arrangements of work or otherwise, or is being objectionably employed on duties not connected with land records. He will test on the spot, when he inspects, and in every way open to him at other times, the correctness of the entries made therein.

(3) When any point enumerated in sub-para (2) above or any defect or slackness in progress is disclosed by any entries in the returns, on which the Sadar Qanungo thinks instructions and comments necessary, he shall record a note thereof and submit it so the Collector for others. As soon as practicable, the Collector shall pass order on the points involved therein and if he finds that the conduct of any officer or Inspector has reached the stage of misconduct or neglect of duty warranting infliction of punishment, he should direct formal proceedings to be instituted against him on a separate file. Advers remarks passed by the Collector in his orders on the work or conduct of a Revenue Officer or Qanungo, which are not made the subject of formal proceedings, will be entered in the list of delinquencies to be maintained by the Sadar Qanungo in the following form for each Officer or Inspector. This will be communicated to the person concerned. The list of delinquencies of any Officer or Inspector. whose conduct is brought to the special notice of the Collector by the Sadar Qanungo should be submitted to him when he submits the report.

Form of list of Delinquencies.

Name of Qanungo/Revenue Officer.....Circle.....
Tehsil.....Year.....

Month	Nature and brief details of delinquencies reported	Collector's orders with date	Remarks
1	2	3	4

(4) The Sadar Qanungo shall bring to the notice of the Sub-Divisional Officer concerned salient points in the monthly returns.

(5) A copy of the Sadar Qanungo's monthly report together with an order thereon shall be forwarded by the Collector to the Commissioner of the division who, if he thinks that any further action is required on any report, will return it with his remarks to the Collector.

(6) The Sadar Qanungo will keep the monthly progress return of Inspectors and Revenue Officers arranged in a separate file for each officer after they have been finally disposed of in accordance with sub paragraph (4) above and will deposit them in the Record room after one year.

319. *Inspections.*—(1) The Sadar Qanungo shall ordinarily inspect the work of every Office Qanungo and Inspector at least once a year. He should usually inspect the Office Qanungo's work during the rainy season (July and August) in order to enable him to check the work of the field staff during the remaining part of the year. In addition to his ordinary annual inspections, he shall from time to time make special inspections of such branches of work of any Inspector as he may be directed or as may appear desirable from the entries in the periodical returns or from information otherwise obtained by him.

(2) In inspecting the work of the Office Qanungo, the Sadar Qanungo must satisfy himself that the work is being carried on in accordance with the rules, that it is up-to-date; that all recent orders have been fully understood and complied with; that the record of statistics is accurate; that the prescribed registers and lists are properly maintained; that mutation work is properly done and mutation orders correctly entered in the mutation register; that Patwaris' pay accounts are correctly kept; that blank forms are not lavishly indented for and misused and that village records are properly dealt with.

(3) In inspecting the work of Inspectors, the Sadar Qanungo shall see that it is up-to-date and shall satisfy himself by retesting a sufficient number of entries in the various records already checked by the Inspector; that the work of checking is thoroughly done. He shall also see that village maps and records are properly maintained, checking for that purpose some unattested entries also; that the revised entries made as a result of mutation orders in the Khatauni Jamabandi are correctly made; that the new Chausala Jamabandi has been correctly prepared; that the entries in the Inspectors diaries accurately represent the work performed and that there has not been any omission or suppression of work actually done; that the Patwaris register and other prescribed registers required to be maintained by the Inspector are properly maintained up-to-date; that all orders affecting entries in Patwari papers have been properly communicated to the Patwaris concerned and correctly enforced; that all recent orders and rules have been fully understood by the Inspector and Patwaris and complied with and that the Patwaris actually live within their circles.

320. *Inspection Reports.*—(1) As soon as the Sadar Qanungo finishes his inspection of an Inspector or Office Qanungo, he shall submit to the Collector a report, which should be brief and to the point, clearly indicating—

- (i) General defects in procedure;
- (ii) Serious delay, bad work and neglect of duties; and
- (iii) Defects in details; the statement attached to the report should give the statistics of work inspected and the return of important mistakes detected.

(2) Defects of classes of (i) and (ii) above require prompt and careful order of the Collector. Defects of class (iii), if not already removed by the Sadar Qanungo, during the course of his inspection (*e.g.* he should try to correct on the spot all such erroneous entries as he is legally competent to correct), require such orders of the Collector as may ensure their correction in due course. It will be the duty of the Sadar Qanungo to see that all the defects pointed out by him in his report have been duly removed.

(3) When these reports are received back in the office they shall be kept arranged in a separate file for each Inspector of Land Records and Office Qanungo.

321. *Tour Programme and Diary.*—(i) The Sadar Qanungo shall draft a tour programme early in each month and submit it to the Collector for approval. He is expected to spend at least fifteen days in a month on out-door work, returning to the headquarter only twice. If in any month he cannot be spared for inspection duties, the Collector may issue orders to this effect.

(ii) While on tour he shall keep a diary in which he shall enter the work done each day and the character of the work inspected by him. The diary shall be submitted to the Collector at the end of each month along with the tour programme of that month.

322. *Circle Maps.*—The Sadar Qanungo shall keep copies of maps of all the Inspectors of Land Records' circles in the district and mark on them, each village as he inspects it, with the date of inspection, *e.g.* Rajgarh, 15th March, 1952. The map so marked shall be submitted to the Collector along with the inspection reports referred to in paragraph 320 above. The maps will be used for a period of five years during which it is expected that he will have finished the inspection of all the Patwar circles in the district. Fresh copies of maps will be brought into use every sixth year, the old copies being retained by the Sadar Qanungo with him for reference.

323. *Abstract Inspection Reports.*—The Sadar Qanungo shall submit to the Commissioner of the division through the Collector an abstract inspection report in the following form at the end of each quarter. The abstract shall show the amount and result of testing village papers, the time spent in each circle and the time spent in inspecting each Office Qanungo's work, and shall show briefly the principal defects brought to light. The abstract shall show separately for each Inspector of Land Records circle the numbers retested after test by the Inspector and the numbers tested without previous test:—

No. of days	Name of Inspector's circle	MAPS		KHASRA		Verification of the Khewat	
		No. of Maps	No. of fields tested on the map	Retes- ted	Tested	Retes- ted	Tested
1	2	3	4	5	6	7	8

Verification of Khatauni JAMABANDI		Test of Khatauni JAMABANDI		Test of Siyaha		Remarks
Retested	Tested	Retested	Tested	Retested	Tested	
9	10	11	12	13	14	15

324. *Instructions to Qanungos.*—The Sadar Qanungo is required to instruct the Inspectors and Office Qanungos in any matter connected with their duties in which they may require advice or instruction. He may, if necessary, hold, with the previous sanction of the Collector, a conference once a year of all the Inspectors and Office Qanungos in the district for the discussion of common or special difficulties. If any difficulties arise which cannot be solved, he should report them for orders of the Collector who may, if necessary, refer them to the Board of Revenue through the Commissioner of the division.

325. *Supervision of the Patwar School.*—While at headquarter the Sadar Qanungo shall frequently visit the Patwar School, if any, located in the district. He shall check the attendance with the register and ascertain that fines are properly collected and credited. He shall also ascertain that the teaching is efficient and that every student has sufficient opportunity of practice in surveying and map correction (these he should watch occasionally on the spot while the classes are at work). He shall note his visits in the school inspection book and lay the book before the Officer-in-charge for orders.

326. *Compilation of statistics.*—The Sadar Qanungo is responsible for the compilation of returns, received from Tehsils and their prompt transmission in accordance with the following table:—

Name	Date of submission	Remarks
1. Kharif crop statement .	1st December.	To be submitted only when the Kharif crop statement has been delayed.
2. Advance return of area under Cotton, Arhar, Til early and late rice, sugarcane ordinary, sugarcane improved, groundnut and castor-seed.	do	
3. Supplementary Memo of canal irrigation to Kharif Jinswar.	20th December	
4. Rabi crop statement .	15th April.	

(ii) The Sadar Qanungo will obtain the Collector's approval for the supplements before submitting them to the Board of Revenue.

Weather and Crop Reports.

327. *Weekly Weather and Crop Report.*—The Weekly Weather and Crop Report for the week ending on every Wednesday must be despatched from the district office in the morning of every Thursday by "Express Delivery" post so as to reach the office of the Board of Revenue in the morning of every Saturday without fail. If the report is delayed and cannot reach the Board's office on Saturday morning by post, telegraphic report may be sent. On the envelope, on its left hand side the words "Weekly Weather and Crop Report," and "Immediate" should be written in red ink. The form and instructions for the preparation of Weekly Weather and Crop Report are given in Form 0-27.

328. *Fortnightly Report on the Agrarian Conditions.*—The Fortnightly Report on the Agrarian Conditions in the district should be sent by the Collector not later than the 5th and 20th of the month for the fortnight ending on 30th or 31st and 15th respectively, so as to reach the Board's office by the 7th and 22nd of every month. The form and instructions for the preparation of fortnightly report are given in Form S-11.

329. *Annual Crop and Season Report and Quinquennial Report.*—Among other reports, the Annual Crop and Season Report for the year ending on 30th June and Quinquennial Report on the average produce per acre of principal crops are given below with their dates of submission.

Description of Report	Last date of receipt by the Collector	Last date of receipt by the Board of Revenue
1. Annual Season and Crop Report	31st July	31st August.
2. Quinquennial Report on average produce per acre of principal crops.	15th July of the year in which the Quinquennial ends.	31st July of the year in which the Quinquennial ends.

330. *Headquarter's Register of Rainfall.*—(i) At the headquarters of a district the Sadar Qanungo will keep in English a register in the form given below in which he will enter daily:—

(a) all rainfall observed by himself at the rain-gauge in his charge, if any, and

(b) all rainfall recorded at out-stations.

(ii) The rainfall recorded at out-stations will be reported on each day, on which rain falls, to him by post card.

District.....

Register of Rainfall for the month of

Rain-gauge stations	Dates	Total of the month
District Total		
+Average (District)		

N. B.—Enter Rainfall in inches and cents using English numerals.

+This should be average of the stations, of which the entries have been made.

331. *Weekly-Report of Rainfall.*—(a) A Weekly report of rainfall, for the week ending on every Monday at 8-30 A. M. should be prepared by the Sadar Qanungo and despatched through the Collector, under "Express Delivery post" not later than Wednesday morning, so as to reach the Board of Revenue latest on Friday morning at 8 A. M.

(b) The collector should also send to the Board of Revenue for transmission in manuscript to the Director General of Observatories, at the end of every calendar month, so as to reach him not later than the 5th of the following month, the undermentioned information pertaining to his district in the form prescribed below:—

(i) Total rainfall for the month, for each rain-gauge station.

(ii) Total number of rainy days for the month (that is to say the number of days for each of which the rainfall was not below ten cents).

(iii) Heaviest rainfall during the month.

(iv) Statement of rainfall of ten inches or more in one day with amounts of rainfall on the preceding and succeeding days with dates.

(v) In case there is no rainfall during any month 'Nil' should be reported.

District	Station	Total rainfall for the month	No. of rainy days on which ten cents or more has fallen	Rainfall of ten inches or over			
				Date	Preceding day	On date in Col. 5	Succeeding day
1	2	3	4	5	6	7	8

N. B.—Columns 5, 6, 7 and 8 are to be filled only when ten inches or more rain has fallen in one day during any month.

332. *Monthly return.*—(i) A monthly statement of rainfall should be prepared by the Sadar Qanungo and despatched as early as possible after the expiry of the month so as to reach the Board of Revenue latest by the 15th of the following month.

(ii) If more than one rain-gauge is kept at any station entries in the register should show only the data of one gauge.

333. *Inspection of Rain-gauge Twice a year.*—Collectors will arrange to have each rain-gauge inspected twice a year by an officer of rank not below that of a Tehsildar. The points to which attention should be directed are indicated in para 25th. If any serious defect is found, it should be reported to the Board of Revenue. Defects should be remedied at once under the Collector's orders (See Para 257).

334. *Return regarding Cattle diseases.*—The monthly return of cattle disease will be prepared from the reports submitted by Office Qanungos under paragraph 218 (b). If any report forwarded by the Office Qanungo under paragraph 218 (b) relates to a new outbreak of Rinderpest, Haemorrhagic Septicaemia, Anthrax or Blackquarter, in an area not recently affected, an advance report shall be despatched without delay to the Veterinary Department giving the names of the villages affected and their distance from the nearest railway station.

NOTE:—The Office Qanungo's return of cattle disease will show the names of the different diseases in the language of the district. The Sadar Qanungo must translate these into English; to enable him to do this, it is recommended that he should obtain the assistance of the Veterinary Assistant in preparing a reference list of the English equivalents of the different local names.

335. *Survey Instruments.*—The Sadar Qanungo shall maintain a stock book of all the survey instruments belonging to Rajas-

than Government, which are kept at the headquarter, the Patwar School, or in the Tehsils. A separate page shall be assigned to each kind of instrument. Balance should be struck after each transaction and in case of issues the acknowledgement of the recipient obtained and kept in the proper file, a reference being made to it in the column of remarks. The Officer Incharge of the Land Records or such other officer as the Collector may direct, will verify the Stock in the Collectorate by the 1st of June each year. The Sadar Qanungo will check the other entries in his register by comparison with the returns furnished by the Office Qanungo or by the Head Master, Patwar school. All discrepancies or needs for repairs, found on check or verification, shall be reported to the Collector and shown in the annual return of survey instruments submitted to the Board of Revenue. The return will bear a certificate signed by the Collector or the Officer Incharge in the following form:—

“Certified that the stock of survey instruments in the district has been checked and found correct. Their condition is good except as noted otherwise in the column of remarks.”

NOTE.—The number of survey instruments to be kept in each district will usually be as follows:—

1. To be kept with each Inspector of Land Records, 2 sets of instruments, each containing:—

1 plane table, 1 Sohawal, 1 sight rule, 1 magnetic needle, 1 chain, 10 arrows, 1 optical square, 4 flags, 1 area comb, 1 offset piece, 1 diagonal scale and 1 pair of compasses.

2. To be kept at district headquarter for the use of superior supervising staff:—

4 brass scales, 4 offset pieces, 4 area combs and 4 pairs of compasses.

3. To be kept at each Tehsil:—

(a) Half the number of instruments mentioned in 2 for the use of the Tehsil staff.

(b) Two complete sets of instruments similar to those given in (1) above with the addition of one or two tracing frames for meeting emergent demands.

4. For the use in the Patwar School:—

For every 6 students one complete set of instruments as given in (1) above with the addition of a Kudal.

336. *Statistics for Annual Report.*—The Sadar Qanungo shall also prepare the statistics required for the annual report of land records.

337. *Maintenance of Register of Patwaris and Qanungos.*—The Sadar Qanungo shall maintain in form O-9, register of Patwaris and Inspectors of Land Records for the whole district, showing the

name and dercription of the incumbent, the constitution of the circle, and all punishments inflicted on, and rewards granted to, each of them in the remarks column.

338. *Detailed Instructions*.—(i) the following detailed instructions should be complied with in writing this register:—

- (a) If the Patwari is exempted from residence or examination or is permitted to own or cultivate land, the number and date of order should be quoted in column No. 3.
- (b) In case of Patwaris appointed conditionally, the condition laid down should be given in detail in the same column.
- (c) Each reward or punishment must be noted briefly as soon as orders are passed; rewards should be shown in red ink.

(ii) When a Patwari is transferred from one circle to another the entries of punishments and rewards of the outgoing Patwari should be closed by drawing a red line across the column concerned and a note made below the line to show the number of page on which entries relating to the outgoing Patwari are to be made thereafter and also of the page on which entries relating to the incoming Patwari have hitherto been made. The entries of future punishments and rewards of the incoming Patwari should be made below this note.

NOTE:—Entries regarding punishments should be occasionally checked by the Sadar Qanungo by comparing them with the Misal-band register or complaints against the staff.

339. *Index*.—An index to the register shall be prepared in the following form. The register will be prepared in alphabetical order, sub-division-wise. The Tehsils in one sub-division will be entered first in alphabetical order and then the Tehsils of another sub-division will be entered. Similarly the names of Inspectors' and Patwaris' circles in each Tehsil will be entered in alphabetical order.

INDEX FORM

Name of Circle	No. of Circle	Tehsil	Sub-division	Page in Register
1	2	3	4	5

340. *Check of Appointments*.—The Sadar Qanungo is responsible for reporting through the Collector without delay any post which may fall vacant in the cadre of Inspectors of Land Records and Office Qanungos to the Commissioner of the division, for making appointment. He will also send another report immediately after the incumbents, appointed by the Commissioner, join their duties.

341. *Seniority list of Qanungos and Patwaris.*—(i) The Sadar Qanungo shall maintain seniority lists of Inspectors of Land Records, Office Qanungos, and Assistant Sadar Qanungos arranged in order of seniority. All papers regarding appointment, transfer, promotion, leave etc. of the officials shall be submitted by the Sadar Qanungo to the Collector or the Sub-Divisional Officers in-charge of the Land Records section. However, the final orders will be passed by the Collector.

(ii) He shall also maintain a separate seniority list of Patwaris, Additional Patwaris and Assistant Office Qanungos. Any changes made in these lists shall be made under the signature of the Collector.

342. *Register of Patwari Candidates.*—The Sadar Qanungo shall maintain in Form P-1 a register of qualified Patwari candidates available for appointment in the district arranged in order of seniority. Candidates shall be added to this list on receiving the Patwar Examination results. Necessary material for the maintenance of this register shall be supplied as soon as the examination results are out. Names shall be removed by the Sadar Qanungo, when candidates have received permanent appointments; names may be removed for other causes also under orders of the Collector. Those candidates who have passed the Patwar Examination in higher division and who have got better educational qualifications within the same district, will be considered senior to others and entries will be made accordingly in the register.

343. *Register of fines and deductions.*—The Sadar Qanungo shall maintain in the prescribed form S-3, a register of leave and deductions. The first six columns of this register will be filled up as soon as the order affecting the salary of any employee of the Land Records Department is received by the Sadar Qanungo. Column 7 will be filled up when information is received from the Tehsil. The dates of making and taking over charge in cases which involve changes on account of transfers, leave arrangements, etc., will be entered in Col. No. 8. The dates will be communicated to the Sadar Qanungo by the Office Qanungo as early as possible.

344. *Record Room at Sadar.*—While at headquarters, the Sadar Qanungo shall inspect at least twice a year the Record room in his charge. He shall carefully examine the diary of the Assistant Sadar Qanungo in order to find out that he is not wasting his time and shall see that records are received from Tehsils on fixed dates; that they are placed without undue delay in the Bastas concerned and entered in the Basta lists; that the contents of Bastas are properly arranged and agree with the Basta lists; that weeding of records is properly carried out; and that Settlement records are kept in safe custody and are in good condition.

The following table shows the dates on which the records are to be received by the Sadar Qanungo and the time they shall be retained by him and the method of their disposal.

Name of Record	Date of Deposition	Period for which retained in the district record room	Method of disposal	Remarks
1	2	3	4	5
1. Map.	After the revision of Settlement.	Till the next revision of Settlement	Destroyed.	
2. Khasra Girda-wari (Quadrennial).	After the revision of Settlement.	-do-	-do-	
3. List of Boundary and Survey marks.	Attached with Khasra Girda-wari.	-do-	-do-	
4. Dhal Banohh	After three years of its completion.	-do-	-do-	
5. Grain Rent Ledger.	After the revision of Settlement.	-do-	-do-	
6. Khasra Parivartanshil.	After the revision of Settlement.	-do-	-do-	
7. Jamabandi Parivartanshil	After the revision of Settlement.	-do-	-do-	
8. Quadrennial Jamabandi.	1st April after preparation every 4th year.	Retained permanently.		
(Parat Sarkar)				
9. Register of Births.	Five years after deposition by the Office Qanungo.	Sixty years	destroyed	
10. Fard Badar.	1st April attached with Jamabandi.	Retained permanently.		
11. Genealogical tree.	-do-	-do-		
12. Well statement	Along with Jamabandi.	-do-		
13. Monthly abstract of daily diary of Inspectors with statements on form Nos. 1-3 and I-4.	20th of each month	Five years.	Destroyed.	
14. Register of salary bills of Land Records staff.	After ten years or preparation.	Thirty years.	-do-	

15. Register of deduction from the pay of the Land Records staff.	-do-	Three years.	-do-
16. Register of rainfall	After ten years.	Term of Settlement.	Destroyed after the next revision of Settlement.
17. Register of Patwaris and Qanungo candidates.		For ten years after it is filed.	Destroyed.
18. Register of establishment of Land Records staff.		Thirty years after it is filed.	-do-
19. Register of deduction from the pay of Land Records staff.		Ten years of its completion.	-do-
20. Register of cattle diseases.		For three years after it is filed.	-do-
21. Register of calamities among persons.		-do-	-do-
22. Register of retail prices.	After the revision of Settlement.	Till the next revision of Settlement.	-do-
23. Register of indent of Land Records forms.		For three years after its completion.	-do-
24. Stock Register of receipt and despatch of Land Records forms.		-do-	Destroyed.*
25. Register of crop cutting experiments.	After the revision of Settlement.	Till the next revision of Settlement.	Destroyed.

*Balance should be brought over in the new Register.

26. Register of Halat of Tehsil	„	Till it is completed.	Kept permanently in the District record room.
27. Register of Weekly, Fortnightly reports etc.	After the revision of Settlement.	Till the next revision of Settlement.	Destroyed.
28. Register of different forecasts and other returns.	„	For five years after its completion.	-do-
Register of rainfall.	After the revision of Settlement.	Till the next revision of Settlement.	-do-
30. Misal Haqiyat	After the revision of Settlement when a new volume of the Record of Rights is received.	Retained permanently.	

345. *Reports and Returns of Officers.*—The Sadar Qanungo shall keep, arranged in separate files, inspection reports of the Sub-Divisional Officers, Tehsildars and Naib-Tehsildars regarding the work of the Inspectors and Patwaris. Lists of distribution of circles of Patwaris between the Tehsildar and the Naib-Tehsildar of each Tehsil sanctioned by the Collector, shall be kept by the Sadar Qanungo. Such lists will be deposited in the Record room after a period of one year.

346. *Amendment Slips.*—The Sadar Qanungo is responsible for the distribution of all amendment slips to the Land Records Rules issued from time to time. He must satisfy himself at his inspections that copies of rules with Inspectors, Office Qanungos and Patwaris are complete and that the amendments made are fully understood by them.

347. *Supply of Forms.*—(i) The Sadar Qanungo is required to compile the annual indent of forms (list given below) for the use of all officials of the Land Records Department. The indent should be sent to the Director, Printing and Stationery, Rajasthan, Jaipur, who will maintain a sufficient stock of all kinds of scheduled forms and will be responsible for supplying the forms according to the indent in time, by the end of August each year.

(ii) In compiling the district indent, the Sadar Qanungo shall carefully scrutinize the estimates received from the Tehsils and shall bring to the notice of the Collector any case of increase for which the explanation given does not appear to him to be satisfac-

tory. The despatch of the district indent, however should not be delayed. The estimates may be provisionally modified or accepted pending enquiries, and corrected later provided that this can be done reasonably quickly.

List of Land Records Forms

Register or Form No.	N A M E
I PATWARIS FORMS	
P- 1	Register of candidates for the post of patwaris.
P-2	Daily work Diary of the Patwaris.
P-3	Monthly abstract of daily Diary.
P-4	Diary of Events.
P-5	Order Book.
P-6	[Omitted]
P-7	[Omitted]
P-8	Report of patwaris regarding Calamity.
P-9	Report of Cholera, Plague etc.
P-10	Report on post card showing disease among live-stock.
P-11	Fortnightly report regarding contagious diseases among live-stock.
P-12	Register Regarding No. of live-stock, poultry, Agricultural machinery and Implements.
P-13	Khasra Girdawari (Quadrennial).
P-13 A	Girdawari Slip.
P-14	Khasra Nautor and Ghair Mustaqil Kasht.
P-15	List of Boundary and Survey Marks.
P-16	Jinswar Kharif.
P-17	Jinswar Rabi.
P-18	Jinswar Zaid-Rabi.
P-19	Milan Khasra.
P-20	Register of Kind and Cash Rents (Bahi Khata Jins).
P-21	Register of Mutations.
P-22	Register of Interrogatories.
P-23	Statement of Demand on account of Mutation fees.
P-24	Genealogical Tree (Shajra Nasab).
P-25	Jamabandi for fluctuating assessment.
P-26	Jamabandi (Khewat Khatauni).
P-27	Fard Badar.
P-28	Final attestation certificate of Jamabandi.
P-29	Well Statement.
P-30	Dhal Banchh.
P-31	Demand Slip.

P-32	Siyaha.
P-33	Receipt Book.
P-34	Arz-Irsal.
P-35	Register showing the amount of fee realised for inspection of records and grant of certified extracts therefrom.
P-36	Register showing Survey equipments and furniture.
P-37	Register of Records in the custody of Patwaris.
P-38	Receipt for Return of Arz-Irsal.

II OFFICE QANUNGO

O-1	Salary Bill form (as prescribed by the Accountant General)
O-2	Register of claims of Arrears of the Land Records Staff.
O-3	Register of deductions from the pay of the Land Records Staff.
O-4	Register of Accounts of pay of the Land Records Staff.
O-5	Register of Leave of Land Records Staff (as prescribed in Tehsil).
O-6	Register of Cattle Diseases.
O-7	Register of Reports of Calamities amongst persons and cattle.
O-8	Register of Lambardars.
O-9	Register of Descriptions of Patwaris' and Inspector's circles.
-10	Register of Halat Mauza.
11-A	Register of villages under Section 120 of Rajasthan Land Revenue Act, 1956.
O-12	Register of Patwarkhanas.
O-13	Register of State Grants.
O-14	Register of arrangements made for the allotment and collection of revenue of unoccupied land (Siwai Chak).
O-15	Register of Nazool (Government Buildings).
O-16	Register of Cases (as prescribed in Tehsil).
C-17	Register of Peshi Muqadmat (as prescribed in Tehsil).
O-18	Register of Security of Patwaris.
O-19	Register of Inspections by Revenue Officers (as prescribed in Tehsil).
O-20	Register of deposition of annual records.
O-21	Register of Daramad Baramad Kaghzat.
O-22	List of papers contained in the Bastas of villages.
O-23	Stock Register of printed forms of Patwaris and Qanungos etc.
O-24	Register of Indent of Land Records forms.
O-25	Register of Survey equipments and furniture.
C-26	Register of Farari and Nau-Abadi of cultivators.
O-27	Register of Weekly Weather and Crop Report.
O-28	Register of Rainfall.
O-29	Register of Retail Prices.

- O-30 Specimen form for the Forecast Return.
- O-31 Despatch Register (as prescribed in Tehsil).
- O-32 Receipt Register (as prescribed in Tehsil).
- O-33 Alluvion and Diluvian Register.

III. INSPECTOR OF LAND RECORDS.

- I-1 Daily Diary of work of Inspector of Land Records.
- I-2 Monthly Abstract of daily Diary of work of Inspector.
- I-3 Details of the attestation of Quadrennial Jamabandi, and pending Mutations.
- I-4 Statement showing tourings of Inspectors.
- I-5 Register of Patwaris to be kept by the Inspectors.
- I-6 Register of Receipt and Despatch to be maintained by the Inspectors (as prescribed by the Rev. Dept. for the Tehsil).

IV. SADAR QANUNGO.

- S-1 Register of Qanungo Candidates.
 - S-2 Register of Establishment of Land Records staff.
 - S-3 Register of deductions from the pay of the Land Records staff.
 - S-4 Register of Cattle Diseases.
 - S-5 Register of Calamities.
 - S-6 Register of Retail Prices.
 - S-7 Register of Indent of printed forms of Land Records.
 - S-8 Stock register of Receipts and Despatch of printed forms of Land Records.
 - S-9 Register of Crop Cutting Experiments.
 - S-10 Register of Halat of Tehsil.
 - S-11 Forms of Fortnightly report on agrarian conditions in the district.
-

Form No. S-1.
(See Para 317)

Register of Accepted Candidate for the Post of Qanungos in District.....Rajasthan

Serial No.	Date of Entry	Name, father's name caste, & residence of the candidate	Date of Birth	Where educated what examination passed & date of passing also copy of any details given in the certificate	Profession of candidate's father. Particulars of land owned by his family and of offices held by them under Government	Physical fitness of the candidate specially regar- ding eye- sight.	Whether candidate is related to any Patwari or Qanu- ngo holding office on the date of entry
1	2	3	4	5	6	7	8

Details of any office held by the candidate on or before date of entry	Signature of officer directing entry to be made	Subsequent entries		Final result i.e., substantive appo- intment or cance- llation of entry with dates thereof	Signature of officer by whose order the previous column is finally filled up	Remarks.
		Date of passing Qanungo Exami- nation with copy of details entered in the certificate	Note of officiating or other appointments. held by candidate from time to time after date of entry of his name			
9	10	11	12	13	14	15

Form No. S-2.

(See Para 317)

Establishment Register of Land Records Staff, District..... Rajasthan for the year 195....195

Serial No.	Date of first appointment	Date of appointment to analogous post	Name of incumbent	Designation	Scale of pay	Rate of pay	Details of pay	Advances	Remarks & Orders regarding changes
1	2	3	4	5	6	7	8	9	

Form No. S-3

(See Para 343)

Register of Deductions from the Pay of the Land Records Staff (Patwaris, Qanugos, Chainmen, Bundle Lifter, etc.).....District.....Rajasthan for the month of.....195 .

Serial No.	Name of Tehsil	Name of Patwari, Inspector, Qanungo, Chainman, Bundle Lifter etc. with circle	Deductions, date of order with the No. of the case file	Details of leave etc.	Amount	The name of the month from the pay of which deductions have been made with number of salary bills	Remarks
1	2	3	4	5	6	7	8

Form No. S-4

(See Para 384)

Register of Cattle Diseases District.....Rajasthan for the month of.....195, to—of 195 .

Name of Tehsil	Name and No. of circle from which reported	Name and total number of villages affected	Name of disease	Approximate number of animals	Number of deaths	Remarks
1	2	3	4	5	6	7

Form No. S-7.
(See Para 347)
Indent of Printed Standard Forms of Land Records for Patwaris & Qanungos etc
District.....Rajasthan for the year.....

S. No.	Names of forms with Number	No. of forms required for different Tehsils (Names of Tehsils)	District office (Sadar Qanungo)	Total Forms	Size of paper	Remarks
	(a) Patwaris:— 1. 2. 3. 4.					
	(b) Inspectors:— 1. 2. 3. 4.					
	(c) Office Qanungos:— 1. 2. 3. 4.					

Form No. S-8
(See Para 347)

Stook Register of Printed Forms of Land Records, (Patwaris, Inspectors, Office Qanungos etc.) District.....

Date of receipt or despatch	Name & designation of person by whom received or to whom given	Patwaris' forms	Inspectors' forms	Office Qanungos' forms	Sadar Qanungos' forms	Signature of Recipient
1	2	3	4	5	6	7

Form No. S-9.
(See Para 317)

Register of Crop-cutting experiments in the.....District for.....Season 195 .

Serial No.	Tehsil	Assessment circle	Village	Kind of crop	Area sown with crop	Class of Irrigation	Status and res-sources of cul-tivator	Details of cultivation in three preceding seasons	Details of manuring and watering of crop under experiment
1	2	3	4	5	6	7	8	9	10

Name and Rank of officers' and date of making the experiment	Weight and produce in seers			Produce per acre in seers			Quinquennial average outturn per acre of grain in seers	Average outturn per acre assumed at the last Settlement	Remarks
	Area out	Grain	Straw	Grain	Straw	in seers			
11	12	13	14	15	16	17	18	19	

Form S-10.
(See Para 317)

Registr of Halat of Tehsils

Annual Statement No. 1 Jinswar Kharif (P-16) omit column No. 1.

No. 2 „ Rabi (P-17) do

No. 3 „ Zaid Rabi (P-18) do

No. 4 Statement of Milan Khasra (P-19) do

No. 5 Statement of Live stock, do&2.

Poultry and Agricultural Machinery
and Implements P-12.

6. Annual Revenue account of Tehsil District.....
Rajasthan for the year 195 .

Year	Harvest	Total Assessment		Total	Suspended on account of bad harvest	Balance for collection	Arrears of previous harvest	Arrears ordered for collection	Total to be collected	Collection on account of				Balance		Remarks
		Khalsa	Non-Khalsa							Current harvest	Arrears	Total	Remitted	Under suspension	Not under suspension	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Kharif
Rabi.

Form No. S-11.
(See Para 328)

Statement of Fortnightly Report of the Agrarian condition in
District.....Rajasthan.

1. Rainfall.
2. Condition of crops.
3. Natural calamity, if any.
4. Relief Measures taken, if any.
5. Supply position of food-grains.
6. Water supply.
7. Supply of fodder.
8. Market prices of food- grains.
9. Epidemic, if any.
10. Condition of live-stock.
11. General. ———

1. Rainfall during the fortnight and from 1st June should be given separately. It may also be mentioned whether it is general throughout the district or localised.
2. Report should show whether sowing is being done, in time, germination has been good, no damage has been caused by pest like (Katra or Pharka etc.) harvesting is in progress, general outturn of crops has been good, produce in annas.

3. Natural calamity means flood, frost, drought, etc., if any, and the areas affected should be mentioned.
4. Relief measures include remission and suspension of rent, grant of Taccavi; opening of any relief works like constructions of wells, tanks or roads etc.
5. Supply of food-grains, fodder and water whether sufficient or any scarcity is felt anywhere should be stated.
6. Whether prices have risen during the fortnight and show tendency to rise further. Actual prices of staple food-grains like wheat, Bajra and Jowar should be stated.
7. Epidemic, if any, should be reported.
8. Condition of live-stock should be given showing whether any disease like rinderpest or small-pox has broken out among them.
9. General remarks about anything not covered by the above heads and which the officer thinks worth while to bring to the notice of the authorities, like any tension between Jagirdars and tenants, any hesitation to pay rent or grain procurement if going on.

PART VI

DUTIES OF REVENUE OFFICERS

Duties of Revenue Officers.

Notes.

The rules contained in this part prescribe the duties and powers of Revenue Officers viz., Naib-Tehsildars, Tehsildars, Sub-Divisional Officers and Collectors in respect of land records, preparation and maintenance of annual register and other records. The duties of these officers with regard to assessment of revenue and rent and preparation of registers thereof have also been prescribed.

CHAPTER I.

348. *Duties of Tehsildars and Naib-Tehsildars.*—Broadly speaking, the main duties of Tehsildars and Naib-Tehsildars in connection with the Land Records fall under the following heads:—

- (i) Test of Inspector of Land Records' work.
- (ii) Supervision of Office Qanungo's office.
- (iii) Supervision of Patwar School, if any.
- (iv) Disposal of mutation reports.
- (v) Disposal of other reports received from Patwaris and Qanungos.
- (vi) Distribution of Patwaris' pay.
- (vii) Drawing up of explanatory, supplementary and statistical returns.
- (viii) Indenting of Patwari and Qanungo forms.

349. In testing the work of an Inspector of Land Records, the duties of Tehsildars and Naib-Tehsildars are the same as those of the Sadar Qanungos. Tehsildars and Naib-Tehsildars are, between them, required to test the record of every Inspector's circle in the Tehsil during one year as may be fixed by the Collector according to the amount of work in each Tehsil. The distribution of circles between the Tehsildar and his Assistants for each year will be arran-

ged by the former with the approval of the Collector at the commencement of each year and a copy thereof shall be sent to the Sadar Qanungo for record in his office.

350 While on tour the Tehsildar and the Naib-Tehsildar shall each maintain a note-book in which he will record day by day notes similar to those required to be recorded by the Sub-Divisional Officers under paragraph 373. A copy of the Tehsil map will also be maintained and each Patwari circle inspected by them will be marked with the crop (Kharif and Rabi) in which they are inspected. A copy of the map and note book shall be submitted to the Collector along with the inspection note.

351. (i) Tehsildars and Naib-Tehsildars are not primarily required to test the work done by the Patwaris; it is the duty of the Inspectors. The object of their test should be to see that the Inspector is discharging his duties properly and that records are being prepared accurately and in accordance with the rules.

(ii) Before beginning the inspection of the Inspector's circle it is advisable to go through previous inspection reports and to make a note of the defects mentioned therein.

(iii) It is not necessary as a rule to examine the entire papers in more than one village of a Patwari's circle except when the first village inspection of chosen record gives suspicious and indefinite results. Ordinarily it is better to make a thorough test of the work in one village than to do piecemeal in several villages. The villages should be chosen so as to give a fair range of test, and one village of each kind of tenure *viz*, Biswedari, Zamindari, Ryotwari and Jagirdari, should be inspected. The most convenient procedure in ordinary cases is to begin by testing the records of Agricultural facts, going over the village land in the direction of the principal village site; and having arrived there to test the entries of rights and interests and the rental accounts.

(iv) It is not necessary that a large following of villagers should accompany the inspecting officer while he is testing the record of agricultural facts; the men at work in the fields, where inspection is made, can usually give all the information that is required, a few being called from the nearest hamlet when necessary. On the other hand, as large an assemblage as possible is desirable for the verification of the record of rights and the rental accounts and the inspecting officer should send ahead a messenger to collect the people at the principal village site while he is testing the record of agricultural facts. If the people are courteously treated, it will be found that they appreciate the opportunity of learning and correcting what is written about them in the records.

(v) In carrying out the test of records, instructions laid down for Sub-Divisional Officers in paragraph 372 should be followed. Out of the entries tested about half should be those that have already been tested by the Inspector. In addition to the test of records,

matters detailed in paragraph 376 should also be looked into, particularly the agricultural deterioration in the village, if any, on which a report is required to be submitted under paragraph 420. Anything in connection with any of these matters, requiring the attention of the superior officers, should forthwith be brought to the notice of the Sub-Divisional Officer.

352. (i) As soon as the Tehsildar or the Naib-Tehsildar finishes the inspection of an Inspector's circle he should draw up a report and submit it to the Collector through the Sub-Divisional Officer along with the note-book and the copy of the Tehsil map maintained under paragraph 373. The report should be brief and to the point, clearly indicating recordwise (i) general defects in procedure, (ii) serious delays, bad work and neglect of duties, (iii) defects in detail. The report should also give definite finding whether the Inspector has made honest efforts to bring bad work to light and whether he has dealt with it promptly and justly when discovered.

(ii) The statistics of work inspected, the number of mistakes detected and the nature of important mistakes should also be stated in the report. A large number of errors is usually conclusive against an Inspector irrespective of their nature. Some officers do not attach importance to mistake of crops but they have their own importance, as it is generally mistakes in these that helps the inspecting officer to find out whether the Inspector has made filled inspection or not. From this point of view formal errors are as important as substantial errors, since an Inspector can detect the former most easily. On the other hand, even the best Inspector may pass mistakes now and then. If the record is found to have been corrected under his initials in various places, it is usually a sign that he has in fact tested it with some care even if his test is not complete. Judgment based merely on the percentage of errors found is, therefore, not sufficient but when the number and the nature of mistakes are considered together, it should be easy to come to a definite decision about the quality of the Inspector's work.

353. (i) The most effective way of testing the Inspectors work is to do over again some of the work which he claims to have done. But occasionally and especially if the work done appears to be confined to accessible and established plots or to have taken the line of least resistance, the inspecting officer should also check some untested work in order to ascertain the general standard of accuracy in the circle and also to see that the Inspector's test has not been collusive but representative and thorough.

(ii) When untested work is checked, it may be useful to compare the percentage of error found therein with the percentage of error found by the Inspector. If the difference is large it will be an indication that the Inspector's check is for some reason inadequate and unsatisfactory.

(iii) In view of the varying conditions in different districts it is not possible to prescribe a fixed procedure for the test of each record, but the method of test which has been found convenient by experience is given below for some important statements to indicate the general lines which should be followed in the test of all record so far as the circumstances of each tract permit.

354. *Map*.—(a) The importance of the correct maintenance of village maps cannot be over-emphasized as the map is the starting point of the land records of a village and an error in it is likely to render all the records of the village erroneous. It defines the boundaries of the village and also of each field in the village

(b) At each inspection tour the Patwari is required to compare the fields one by one with his map, while the Inspector is required to check it at each inspection with a view to getting it corrected whether it is found to be wrong.

(c) Before starting the inspection of the village map in use, the inspecting officer should try to find out whether cultivation in the village had fully developed at the time of its preparation, or whether there has since been an extension of cultivation on account of the breaking up of waste land on a large scale.

(d) In the first case all that is required to keep the map correct and up-to-date is to show accurately on it divisions and unions of fields, alterations in field boundaries and such new features as roads, canals, tanks, etc., that come into existence from time to time. In this case the inspecting officer has only to see by a comparison of the boundaries of some of the fields with the corresponding boundaries on the map whether divisions and unions of the fields and alterations in the fields boundaries visible on the ground have been correctly shown and whether new features that have come into existence have been accurately mapped.

(e) In the second case, however, this method of test will not suffice in respect of the area to which cultivation has extended subsequent to the preparation of the map. The Patwari often locates the extensions in such a way that the map becomes seriously incorrect. It is necessary, therefore, to run check lines over areas where cultivation has extended or is extending. A sufficient number of fields should be checked on the spot by running check lines in the centre as well as in the corners in order to see whether the new cultivation has been accurately mapped. If there be any errors or deviations from accuracy that require correction, they should be briefly noted by the inspecting officer in his note-book along with the details of the check lines run by him. The Patwari should also be made to note them in his diary.

(f) Where mistakes in map corrections for inaccuracies in the mapping of new cultivation are due to slackness on the part of the Inspector, he should not only be taken to account for it but should

also be made responsible for securing absolute correctness of the map within a reasonable time.

(g) Other points to be seen in connection with village maps are:—

- (i) Whether the Patwaris have kept up their knowledge of survey and map correction. If there be any Patwari who has not done so, he should be allowed a period of grace for reviving such knowledge and if he still fails to do so, he should be required to pass a test examination, arrangements for which will be made by the Collector from time to time;
- (ii) Whether maps in the hands of Patwaris are in good condition or require renewal having become unserviceable by wear and tear and what arrangements exist for their renewal;
- (iii) Whether Patwaris and Inspectors possess necessary survey instruments, and
- (iv) Whether Inspectors keep a correct record of the state of maps in the Patwari's registers.

355. *Khasra*.—(a) Under the Rajasthan Land Revenue Act, 1956, the Collector, who is the Land Records Officer of his district, is required to maintain a field book of each village in his district. This field book is an index to the map and is known as the *Khasra*. It contains all agricultural facts such as crops, irrigation, etc., and also all facts required for the preparation of the *Khatani Jamabandi* such as names of tenants, etc. It also gives against each field the name of the *Thok* or *Patti* in which it is situated.

(b) As will be clear from the above, the *Khasra* is the foundation of the records of rights and the source of all agricultural statistics. Its correct preparation is, therefore, of the utmost importance. Rules for its preparation are contained in paragraphs 64 to 89 and for its check by the Inspector in paragraphs 188 and 189. While testing the *Khasra*, the inspecting officer should aim at ascertaining that all changes shown on the map, all agricultural facts and all facts of possession have been correctly recorded in it. Mistakes regarding changes in field boundaries can never be detected unless the inspecting officer goes round the field, nor can mistakes of crops or of facts of possession be discovered unless the field is fully in sight and is correctly pointed out to the persons who verify the facts. The practice of 'partalling' fields from a distance is dangerous inas-much as it leads to an involuntary endorsement of errors in the records and should on no account be adopted. In testing the *Khasra* the inspecting officer should satisfy himself whether the Inspector has made a field to field inspection and has made genuine efforts to bring bad work to light by a thorough and careful inspection of different blocks in different seasons. The *Tehsildars* and *Naib-Tehsildars* should particularly check the *Nautor* and the area under

temporary cultivation on the spot. The checking should aim at ascertaining whether the Inspector has seen the following points:—

1. that all unions and divisions of fields are correctly shown;
2. that land added by alluvion or lost by diluvian is properly recorded;
3. that Minjumla numbers are correctly entered;
4. that owner's (Khudkasht) cultivation is correctly recorded;
5. that cultivation on behalf of recorded tenants is properly shown;
6. that divisions of holdings are duly given effect to;
7. that irrigation and sources of irrigation are correctly recorded;
8. that crops are correctly recorded;
9. that Kharaba is correctly estimated and recorded according to rules; and
10. that the existing number of groves exempted from the payment of revenue is duly recorded and reported.

356. *Khasra Statements*.—(a) Each year the Patwari has to prepare from his Khasra five statements, namely, (1) List of boundary and survey marks (2) Kharif crop statement (3) Rabi crop statement (4) Zaid crop statement (5) Area statement. Rules for the preparation and submission of these statements are contained in Part I and for their test by the Inspector in Part II.

(b) While testing the Khasra, the inspecting officer should also check such of these statements as are ready at the time of his inspection and his check should be directed to seeing:—

- (i) Whether the list of boundary and survey marks is correctly prepared by the Patwaris and properly checked by the Inspector, and whether marks requiring renewal or repairs are duly reported to the Tehsildar.
- (ii) Whether area and crop statements are correctly prepared and punctually submitted by Patwaris and whether they are duly checked by the Inspectors.
- (iii) Whether the Inspector has seen that the figures are correctly posted and totalled, that these are correctly converted into acres, that the Tukhum-sokht area is properly shown, and that explanations of fluctuations are intelligently given by Patwaris.

357. *Khatauni Jamabandi*.—(a) Khatauni Jamabandi is a register of persons cultivating or otherwise occupying land in a

village. The definition itself explains the importance of this register which records cultivatory rights in land. The proprietary cultivation is also recorded in it.

(b) The Khatauni Jamabandi specifies for each tenant (i) the nature and class of his tenure, (ii) the area held by him, (iii) the rent payable by him, (iv) term of cultivation where necessary and (v) any other condition of his tenure whether written or oral. It is prepared from the Khatauni Jamabandi for the last four years incorporating all changes which might have taken place since its preparation. It reproduces all unchanged entries given in the last Jamabandi and all new entries of the expiring four years based on changes recorded in the Khasra and the mutation register. It is prepared separately for each village and within the village entries are arranged by Thoks or Pattis and Khewat-Khatas following the order given in paragraphs 163 and 164.

(c) Detailed rules for the preparation of the Khatauni Jamabandi are contained in paragraphs 153 to 166 and its verification and test by the Inspectors in paragraph 194.

(d) In checking the Khatauni the inspecting officer has to see (1) that no unauthorised changes have been made; (2) that all changes, which ought to have been made, have been made; and (3) that the changes made are correct and complete. The first object is attained by a cross check with the previous 4 years' Khatauni Jamabandi, Khasras and mutation register and the 2nd and 3rd by personal inquiry on the spot from the tenants concerned. The questions should be short and direct; for example, how many fields do you hold in this Patti? How long have you held them? Have you sub-let any of them? What rate do you pay? Some patience is necessary in getting the answers from the ignorant cultivators; they know the facts but they need time to think and time is usually saved in the long run by making no attempts to hurry individuals.

(e) By putting questions like this, the inspecting officer should satisfy himself whether the Inspector has verified by personal enquiry at least 1/3rd of the entries in the Khatauni Jamabandi including all changed entries and has seen: (i) that names of tenants, class of tenants, term of tenants, and their rights and other particulars are correctly recorded, (ii) that persons recorded are alive and are in possession (iii) that entries are correctly made in respect of abandoned and surrendered holdings and (iv) that all persons holding land are recorded.

(f) The comparison of the Khatauni Jamabandi from the record of the previous four years and with the current year's Khasra is as important as its local verification, as without this comparison, clerical errors and unauthorised changes, if any, cannot be detected. It is, therefore, essential for the inspecting officer to see that this comparison has been carefully and conscientiously done by the Ins-

pector. For this purpose, ordinarily, the last Khatauni Jamabandi in the hands of the Patwari will have to be examined as the current one is not likely to have been tested by the Inspector before the end of the touring season. The Patwari can produce the Khasra of the same year for the comparison.

(g) In carrying out this test special attention should be paid to terms of holdings, number and areas of fields and amount of rents as it is these in which intentional errors are most common. The scrutiny should aim at ascertaining whether the Inspector has seen:—

- (i) that all unchanged entries have been correctly copied out from the previous Khatauni Jamabandi and that, unless specially ordered by the competent authority, the term of cultivation is only four years more than that recorded in the previous Khatauni Jamabandi ;
- (ii) that all new entries in the Khasra have been properly brought in the Khatauni Jamabandi and that names of the tenants, which ought to have been reported or expunged, have been reported or expunged;
- (iii) that arrangements of Khewat, Khatas, Pattis or Thoks agree with that given in the previous Khatauni Jamabandi;
- (iv) that all necessary totals have been given and are correct;
- (v) that the area of the village, Thok or Patti and unchanged Khewat Khata as given in the new Khatauni Jamabandi agrees with that given in the last one;
- (vi) that entries are properly made where sub-proprietor or sub-grantees exist;
- (vii) that remunerations, if any, have been properly shown; and
- (viii) that all corrections and alterations and all doubtful entries in the Khatauni have been signed by the Inspector in token of their being entered in the errata list of Fard Ikhtalaf.

358. *Siyaha*.—(a) The *Siyaha* is a record prescribed for facilitating the correct maintenance of rental accounts and in it are entered all collections made by the Patwari and the Lambardars from the tenants on account of rent or other demands. It is kept village-wise.

(b) Rules for the preparation of the *Siyaha*, are given in paragraphs 109 to 115 and for its test by the Inspector in paragraph 195.

(c) In carrying out the verification of the Siyaha, the inspecting officer has to see:—

- (i) whether the Inspector has seen that the Siyaha is written up regularly and correctly;
- (ii) whether there are any difficulties experienced in getting necessary information regarding collections and if so whether the Inspector has succeeded in removing them to any extent or has reported them to higher authorities and with what results;
- (iii) whether the Inspector makes genuine efforts to acquaint himself with conditions existing in each village and whether he makes special inquiries, in case of entire absence or incomplete record of collections and reports the result to the Tehsildar.

359. *Grain Rent Ledger.*—The Grain Rent Ledger is a supplement to the Siyaha. In it the Patwari records all rents paid in kind whether by division of the produce (Batai) or by appraisement of the standing crop (Kunt) or in any other manner. The rules for its preparation are contained in paragraphs 94 to 98. The Inspector is required to check it along with the Siyaha. The inspecting officer should also check the Grain Rent Ledger with a view to satisfy himself whether the Inspector has seen:—

- (i) that the ledger is regularly written up;
- (ii) that the Patwari is regular in his attendance at divisions of produce and appraisements of crops;
- (iii) that quantity of produce is accurately recorded and the cash value of the estate holder's share is correctly calculated;
- (iv) that all crops sown in grain rented fields are entered in ledger and that the cash value of the estate holder's share is duly carried over from the ledger to the Siyaha.

360. *Inspectors' Diary, return and Registers.*—(a) Under paragraph 179, the Inspector is required to maintain a diary in which he records each day the duties on which he has been engaged whatever their nature. With the help of this diary, he prepares a monthly return showing the progress of various branches of his work. This return is submitted by him along with his diary to the Office Qanungo on the first working day of the month following that to which it relates.

(b) The Office Qanungo scrutinizes the diary and returns of Inspectors and issues such instructions as may be required after obtaining orders of the Tehsildar. While inspecting an Inspector's work, the inspecting officer has also to examine his diary with a view to ascertain whether it is a faithful record of the work done by him and whether he has complied with the instructions issued by the Tehsildar or the Sub-Divisional Officer from time to time on the diary.

361. *Register of Patwaris.*—(a) Under paragraph 198, the Inspector is required to maintain a register of Patwaris. Instructions as to how entries are to be made in this register are given in that paragraph.

(b) This register is important and the inspecting officer should examine a sufficient number of entries in it with a view to satisfy himself whether particulars of Patwaris given in Part I and the statistics given in Part II are correct; whether bad work on the part of the Patwaris is promptly reported and whether remarks of officers about the Patwaris inspected are regularly obtained and whether there are any Patwaris, exempted from residence, whose work is so bad as to justify the withdrawal of the exemption.

362. *Copy of the Rules.*—(a) Along with the examination of the Inspectors' registers, the inspecting officer has also to examine his copy of the Land Records Rules with a view to find out if it is complete with up-to-date amendment slips. It should also be seen if copies of circular letters, issued from time to time, for the guidance of the land records staff, are properly kept by the Inspector in a file book and up-to-date circulars are contained in it.

(b) Inspectors' knowledge of the amended rules and instructions should also be tested and such of them as have not been correctly understood by them should be explained to them.

363. *Supervision of the Office Qanungos.*—(a) The Tehsildar and the Naib-Tehsildar are both responsible for the proper working of the Office Qanungo's office which is directly under their control. They must see that distribution of work between the Office Qanungo and his assistants is fair; and that each of them attends to his duties properly and arrears do not accumulate and that each branch of work receives adequate attention of the Office Qanungo.

(b) The Naib-Tehsildar is expected to remain in closer touch with the office Qanungo's office than the Tehsildar and to inspect it at the end of every quarter in a year. The Tehsildar should exercise effective supervision over it and inspect it at least twice a year. Efforts should be made to examine the work of each branch at each inspection.

(c) As soon as the Tehsildar or the Naib-Tehsildar finishes his inspection, he should record in the inspection book a note stating briefly the test applied by him to each branch of work and the result thereof. The notes recorded by the Naib-Tehsildar should be submitted to the Tehsildar who should pass such orders as he thinks necessary.

(d) Any defects that are brought to light as a result of the Tehsildar or Naib-Tehsildar's inspection should be removed as soon as possible and if there be any matters requiring the orders of the Sub-Divisional Officer or the Collector they should be reported to him.

364. *Supervision of Patwar Schools.*—(a) In connection with the supervision of the Patwar Schools, the duties of the Tehsildar or the Naib-Tehsildar of the Tehsil, where the school is located, are the same as those of the Sadar Qanungo given in paragraph 325.

(b) On not less than one morning in each month the survey and map correction classes shall be watched while at work, by the Tehsildar or the Naib-Tehsildar. They should also frequently inspect the school and satisfy themselves that instructions, both in the school and in the outdoor classes, are being given in accordance with the rules. When anyone of them inspects the school, he should check the attendance roll and the stock of survey instruments and should note in the inspection book any defects that he may notice and submit the same to the Officer in charge of the school for orders.

365. *Disposal of mutation reports.*—(a) The disposal of mutation reports is one of the most important duties of the Tehsildar and the Naib-Tehsildar.

(b) It need hardly be emphasized that for safeguarding the rights and interests of proprietors and the Government in land, the correct maintenance of Khatauni Jamabandi is essential and the accuracy of the Jamabandi depends to a considerable extent on the efficiency with which the mutation work is done in the Tehsil. In fact, it is to keep the Jamabandi correct and up-to-date that it has been made obligatory upon the parties and the Patwaris to report each succession and transfer. The very object of mutations is, therefore, frustrated if genuine mutation reports are dismissed on flimsy grounds or erroneous orders are passed on them for lack of thoroughness in inquiry. Erroneous orders in undisputed cases are particularly unpardonable as there is no chance of their being corrected in appeal. An error that creeps in the Khatauni, as a result of an erroneous mutation order, is practically perpetuated, as, once the order has become final, there is no chance of the entry based on it being corrected. Tehsildars and the Naib-Tehsildars should, therefore, exercise the greatest possible care in passing orders in mutation cases.

(c) The practice of allowing too much latitude to the Office Qanungo or his assistants in connection with the mutation work is to be deprecated as it may lead to corruption. Final mutation orders must never be left by presiding officers to be written wholly or partially by the official in charge of mutation work in the Office Qanungo's office. This is most objectionable and should on no account be permitted. All orders for mutation of names passed by any officer, whether in disputed or in undisputed cases, should be in the handwriting of the officer himself and should specify the precise entry to be made as a result of this order and the Khata or Khatas of the Jamabandi in which the new entry is to be made. The presiding officer should strictly comply with this rule.

(d) Vague and stereotyped orders such as applicant's name be substituted or that of the deceased or the transferrer should be avoided, as such orders are often found incapable of being given effect to owing to lack of details. Moreover, such orders give the officials responsible for giving effect to them in the Jamabandi an opportunity of supplementing them and the opportunities given are not infrequently utilized. The order passed by the presiding officer should, therefore, clearly state whose name is to be removed; the extent of the share, area, etc. affected; whose name is to be recorded and the Khata or Khatahs affected thereby.

(e) Office reports are also important in mutation cases for the elucidation of facts, and they should be as clear and complete as possible. The lines on which these reports should be made have already been indicated in paragraph 119 to 141. Stereotyped reports like "Haqiqat Bamujib Khewat Durast Hai" which are often written by the officials concerned without looking into the Jamabandi at all, are worse than useless and should on no account be accepted.

(f) The procedure to be followed in mutation cases is laid down in paragraphs 119 to 141 while rules relating to the imposition and levy of mutation fees are given in paragraph 142 to 146. For the guidance of the Office Qanungo necessary rules are contained in paragraph 245. Tehsildars and Naib-Tehsildars should see that all these rules and procedure are strictly followed in the disposal of reports of successions and transfers.

366. (a) The following are the kinds of reports that are likely to be received in the Tehsil from Patwaris and Qanungos in connection with disputed or doubtful entries in the Khatauni Jamabandi:—

1. Entries of tenants who have absconded,
2. Disputed successions to tenant's holding,
3. Entries affected by merger of tenancy rights into proprietary rights,
4. Clerical errors in the Jamabandi,
5. Disputed or doubtful entries in the Jamabandi discovered at the time of local verification, and
6. Entries relating to untraced, absconded and out of possession persons recorded in the Jamabandi.

(b) Prompt disposal of these reports is necessary in order that the records may, before they are closed, be corrected.

(c) Disputed successions to tenants' holdings and entries of holdings in which tenancy rights are extinguished by merger will, if undisputed, be disposed of by the Tehsildar after due notice to the parties concerned and if disputed be reported to the competent authority for disposal under the Land Revenue Act.

(d) Clerical errors in the Khatauni Jamabandi will be disposed of in the manner laid down in paragraph 166 by means of Fard Badrat while reports relating to disputed or doubtful entries in

the Khatauni and those relating to untraceable, absconded or out of possession tenants will be treated as cases of correction of Jamabandi and disposed of accordingly.

367. *Distribution of Patwari's Pay.*—(a) The responsibility for the correct maintenance of Patwari's pay accounts rests with the Tehsildars and Naib-Tehsildars. Under paragraph 215 (b) the pay has to be distributed in the presence of the Tehsildar or Naib-Tehsildar who is required to sign each payment in the register of Patwaris and acquittance roll after satisfying himself that all necessary reports have been made by the Patwaris before taking their salaries. He is also required to attest the closing balance shown in the register of accounts of Patwaris' pay on each day on which a transaction takes place.

(b) Arrear claims of Patwaris' pay need particular attention of the Tehsildar as these are often neglected and the negligence sometimes leads to, or facilitates, embezzlement. Paragraph 213 (c) requires the Tehsildar or the Naib-Tehsildar to note briefly in his own hand in the register of Patwaris' arrears claims, the action taken for discouraging the accrual of arrear claim and the occurrence of delay in their settlement and also to scrutinize twice a year, once in April and a second time in October, every entry with a view to ascertain that there has been no undue delay in the settlement of any arrear claim. Claims outstanding settlement for more than six months are required to be specially looked into and delay in the case of each has to be explained in the half-yearly extract sent from this register to the Collector.

While sending the Kharif crop statement, Rabi crop statement and the area statement, the Tehsildar is responsible for the accuracy and adequacy of the explanations given for the variations. He should, therefore, carefully scrutinize each statement and see that the explanations given are appropriate, correct and adequate and are fully intelligible.

(c) The Tehsildar is also responsible for brief agricultural history of his Tehsil being recorded on blank pages provided for the purpose in the Pargana register soon after each of the three statements referred to above is submitted to the Collector. The history should be as concise and accurate as possible. Draft note on each point shall be submitted by the Office Qanungo on the basis of the material contained in the explanatory supplements and the monthly agricultural reports. The history should be such as to give a correct idea of the agricultural conditions as they have existed in each season.

368. *Indenting of Patwari's and Qanungo's Forms.*—(a) The responsibility for the general reasonableness of the estimates of Patwari's and Qanungo's forms lies on the Tehsildar and Naib-Tehsildar. In order to avoid wastage of forms, it is necessary that these estimates should be carefully scrutinized by the Tehsildar or

his assistants before they are submitted to the Collector. In order to satisfy himself that the estimates are not excessive he should check them with the scale of supply of forms prescribed by the Board of Revenue. No check is possible if the data given happen to be wrong. It is, therefore, of the utmost importance that the Tehsildar or Naib-Tehsildar should satisfy himself that statistical data given in the estimates are correct and that no subsequent changes have been made in them within a year.

(b) Supplementary indents of forms are also undesirable as they mean extra expenditure to the Government on account of Railway freight etc. While cutting down the estimates as much possible, it should be guarded against that indents of forms are not based on under-estimates.

(c) In short besides regular inspections of the field work, the Tehsildar and his assistants are responsible for the attestation of mutations and preparation of all records, statistics, reports, periodical statements and the accounts regarding the land records budget pertaining to their Tehsil.

(d) Each Tehsildar and Naib-Tehsildar will maintain a daily diary in which he will enter the work done by him in connection with the Land Records and will submit its extract at the end of each month to the Sub-Divisional Officer who will transmit it with his remarks to the Collector for scrutiny and orders. Proforma of the daily diary and extract are given below:—

Sub-Divisional Officer
Tehsildar
Naib-Tehsildar

Detailed daily diary of work done by the

Tehsil District, Rajasthan, for the month of 195 .

Day with date	Details of work
1	2

Detailed abstract of daily diary of work done by the
Sub-Divisional Officer
Tehsildar during the month of 195 , Tehsil.....
Naib-Tehsildar
District..... Rajasthan.

1. Number of Tehsils.
2. Number of villages.
3. Number of Quadrennial Jambanis.
4. Number of Patwaris.

S. No. 1:	Particulars 2	Details of work 3	No. of days spent on each kind of work 4	Remarks 5
1	Girdawari (a) No. of villages seen. (b) No. of villages under quadrennial attestation in which Girdawari was checked. (c) No. of field entries checked.			
2	Number of mutations attested.....			
3	Jamabandi (a) No. of villages of which Jamabandi is to be prepared. (b) No. of such villages visited before 15th January. (c) No. of such Jamabandis attested on the spot.			
4	No. of Titamma Shajra checked on spot.			
5	No. of villages of which demand papers of grain rent ledger were checked.			
6	No. of villages in which survey marks were checked.			
7	No. of Partition cases:—Instituted. Decided. Decided after visit to the spot.			
8	No. of villages in which Khasra Ghair-mustaqil-kasht was checked with the numbers of fields measured.			
9	No. of Patwaris inspected.			
10	No. of Inspectors inspected.			
11	No. of Office Qanungos inspected			
12	Land revenue collected (Kind or Cash). Village Amount.....			
13	Days spent at the headquarters.			
14	Total No. of days spent on tour.			
15	No. of nights spent away from headquarters.			
16	No. of Gazetted holidays which were observed.			
17	No. of days spent on leave.			

APPENDIX I TO CHAPTER I PART VI.

Yearly programme of the work of Tehsil Revenue Officers.

Month	Work to be done	Remarks
1	2	3
October	<p>1. Will submit their diaries to the Collector on the 1st of each month.</p> <p>2. They will so lay out their work that no part of Tehsil remains unvisited from the crop inspection of Kharif Girdawari and will inspect a few villages thoroughly rather than a great number nominally. They will pay special attention to villages in which suspensions are likely to be required.</p> <p>3. Will check the work of the Patwaris and Inspectors in alluvial record and assessment work. In villages under fluctuating assessment they will check 50% Kharaba fields and will sign all Kharaba numbers.</p> <p>4. Will check the condition of trigonometrical survey pillars, trijunction pillars, survey marks, and base line marks during their tours and will make report about those which are in need of repairs. They will make entries in their diaries of their having done so.</p> <p>5. A detailed report should be submitted to the Collector about trigonometrical survey pillars after Kharif Girdawari.</p>	
November to the end of February	<p>1. Will check some of the entries of Banchh papers and sign the Patwari's copy.</p> <p>2. Will satisfy themselves during the course of their tours that persons entered in Tehsil lists of assignments are living.</p> <p>3. Will make a thorough inspection of the work of all Patwaris' circle in their charge, and of as many estates in the circle as possible, with a view also to test fully the quality of the Inspector's work. Such notes should be sent to the Sadar Qanungo's office for necessary action.</p> <p>4. Will check the Titamma Shajaras prepared by the Patwaris. They are not expected to do much in the way of chaining but they are responsible for the general accuracy of the measurements.</p>	

5. Will make the final attestation on the spot and shall observe the following instructions:—

- (i) At least 25% of the Khatauni holdings should be read out on the spot in the presence of the assembled right holders.
- (ii) At least 25% of the mutations attached to the Jamabandis should be compared with the Khewat concerned.
- (iii) At least 25% of the Khewat holdings should be compared with the old Jamabandi.
- (iv) At least 25% of the Khewat entries in the original copy should be compared with the corresponding entry in the Patwari's copy of the Jamabandi.

The number of the fields, Titamma Shajaras of which have been attested, must be specified as also that of unattested mutations entered before the 16th June or the date approved by the Board of Revenue; of these there should be as few as possible.

They should also fill in two copies of the prescribed final attestation slip and attach one to each of the two copies of the Jamabandi.

6. Will attest all the mutations in estates for which Jamabandis are to be prepared before the middle of January and the pending mutations of others as well, as far as possible.

7. Will enter on blank pages of the notebook of the Tehsil copies, a brief history of the villages since the last Jamabandis were prepared for the villages in which Jamabandis have been prepared or at other times whenever any event of serious importance occurs. Notes will be made when suspensions, recoveries or remissions are ordered and also for tracts where there are fluctuating assessments.

March ...

1. Will check Rabi Girdawari etc, as detailed under October, Nos. 2, 3 and 4.

2. Will take with them registers of revenue free grants, and verify personally the

April, May
and 15th
June.

existence of assignees, entering a note to this effect in the column of remarks.

1. In April they will furnish a list to the Patwaris of changes by lapses or changes of Khatedari by inheritance of assignees which have occurred during the year and a list of assignees of land revenue who have neither attended nor furnished a life certificate. They will also report with reference to all grants for institutions whether the terms on which they were made have been complied with, and the assignees are alive.

2. Will check extra Rabi Girdawari.

3. Will attest all the mutations of villages before 15th June of which Jama-bandis are to be prepared.

16th June to
7th Sept.

1. Will do local attestation of Jama-bandis being prepared in their circles in the hot weather before they are filed in the Tehsil. They will also check some entries of the Jamabandis and their connected statements under preparation to see whether Patwaris and Inspectors are doing their work carefully and accurately.

NOTE:—The programme detailed above is only meant as a guide and the Collector can alter it to suit local conditions.

CHAPTER II.

Duties of Sub-Divisional Officers.

369. The Sub-Divisional Officer shares with the Collector, but subject to his control, responsibility for the correct maintenance of the maps and records of his Sub-Division. He is empowered to order alterations and all disputed cases of mutations, transfers and changes come before him. Besides exercising supervision of the staff, therefore, he should be particularly careful to see that the orders passed are clear and precise and they are carried out. The duties of the Sub-Divisional Officer in connection with the land records, apart from those he has to perform in his judicial capacity, fall under the following heads:—

1. Discipline of Patwaris and Inspectors,
2. Inspection of village maps and records,
3. Inspection of Office Qanungo's office,
4. Maintenance of boundary and survey marks, and
5. Registration of improvements effected by estate-holders.

370. Each Sub-Divisional Officer will maintain a daily diary, in which he will enter the work done by him in connection with the land records and will submit its abstract at the end of each month to the Collector who will transmit it to the Commissioner of the

division for orders with his own remarks. Proforma of the daily diary and abstract are given in para 368 (d).

371. (i) Inspectors are required to report against the Patwaris for breach of restrictions imposed under paragraph 181 for non-residence and for bad work, unpunctuality, incapacity, disobedience and the like. Prompt and careful disposal of such reports is a matter of great importance since if the issue of orders is delayed or if the action taken is inadequate, the Inspectors become discouraged and discipline suffers seriously. There is, however, risk of oppression on the part of the Inspectors also and any defence offered by the Patwaris must be carefully considered from this point of view but till the contrary is shown, the Inspector must be assumed to be worthy of the responsibility which his post entails.

(ii) In ordering transfer of Patwaris and punishing them the instructions contained in paragraph 9 should be carefully followed.

Inspection of village maps and records.

372. (i) The principal duty which the Sub-Divisional Officer has to perform during the touring season is the inspection of village maps and records of his Sub-Division in order to discover (1) the general standard of accuracy (2) the quality of supervision exercised and (3) the means by which improvement can be effected in them.

(ii) When he is about to go on tour, he should look into the file of his own inspections, study the inspection notes, if any, of departmental officers, and carefully examine along with the Patwari's register the inspection reports of the Sadar Qanungo relating to his Sub-Division. This will in some cases narrow the field of his inquiry and will enable him to chalk out the lines on which he has to make his inspection.

(iii) Tehsildars and Naib-Tehsildars are expected to inspect each year the record of every Inspector and the Sadar Qanungo about one-fifth in the Tehsil. The selection of circles should, so far as possible, be so made as to include in the Sub-Divisional Officer's programme of inspection at least one-third of the circles inspected by each of these officers. The Sub-Divisional Officer should inspect as many Inspectors' circles as possible and in no case less than three-fourths. If he finds that he will not be able to inspect this number, he should forthwith bring the matter to the notice of the Collector, who may be able to arrange for the inspection of some of the circles by another officer out of his gazetted staff. Such officer shall, on his deputation for inspection, follow the same instructions as are laid down for the guidance of the Sub-Divisional Officers.

373. (i) While on tour the Sub-Divisional officer should maintain a note-book in which he should record day by day, with necessary details, the number of entries checked by him in each record, the number and nature of the mistakes discovered, and brief notes on any matter requiring attention and any other matter

of importance to which his attention may have been drawn in the course of his revenue work or to which the Collector may have ordered his attention to be directed. If he comes across any specially good and bad Patwaris, their names should also be noted in the note-book for reward or punishment.

(ii) He should also keep with him a copy of the Tehsil map on which he should mark each day, with the number of the year of inspection the Patwar circles the records of which are inspected by him.

(iii) The note book will be renewed each year but the map will not be renewed until all the Patwar circles have been marked on it. At the end of each touring season, the Sub-Divisional Officer shall submit to the Collector the note-book as well as the map along with the inspection note. The Sub-Divisional Officer's inspection should primarily aim at testing the quality of work done by the Tehsildar, the Naib-Tehsildar and the Sadar Qanungo. The most effective way of doing this is to do over again some of the work shown to have been done by them. This will automatically bring some of the defects in the record to his notice. But in order to ascertain the standard of accuracy in each Inspector's circle and to find out the quality of supervision exercised by the Inspector, it is necessary that he should also inspect some such Patwaris' circle as have not been inspected during the year either by the Tehsildar, the Naib Tehsildar, or the Sadar Qanungo.

374. (i) For an official of the rank and responsibility of a Sub-Divisional Officer, it does not seem necessary to prescribe any fixed amount of test, but it is expected that he will check a sufficient number of entries in each record to enable him to form a definite opinion about the condition of that record and about the quality of test applied to it by the supervising staff.

(ii) Nor is it necessary to fix any proportion between tested and untested entries to be checked by him. Ordinarily the Sub-Divisional Officer's check should involve more tested entries than untested ones, and the former should consist more of those tested by the Tehsildar, Naib-Tehsildar and the Sadar Qanungo than of those tested only by the Inspector. But when tested entries are confined to the more accessible and well established fields in the village, the Sub-Divisional Officer would do well to test a larger proportion of untested entries in the outlying portion of the village.

(iii) The gross test of percentage of errors may also prove useful to the Sub-Divisional Officer.

375. (i) No hard and fast rules as to how a particular record should be checked can be laid down in view of the varying conditions in different districts. But instructions based on experience have been given in paragraph 353 in order to indicate the general lines which should be followed in the test of each record, so far as the circumstances of each district permit.

(ii) The Sub-Divisional Officer should initial all entries checked by him and note the number of such entries on the first page of the records concerned. He should initial and date all corrections and alterations made by him in any record but the record which has been closed after completion should not be altered under this rule, separate action being taken for the correction of the current year's record, if necessary. As soon as the inspection of an Inspector's circle is completed, the Sub-Divisional Officer should make brief remarks about the condition of work of each Patwari circle inspected by him in the Patwari register maintained by the Inspector.

376. In the course of his inspection the Sub-Divisional Officer is also required to pay particular attention to the following matters:—

1. Removal of defects pointed out in the previous inspection notes;
2. Conditional revenue-free grants;
3. Encroachments on property vested in the State ;
4. Character and frequency of disputed possession and entries recording the tenants who have absconded and the disposal of their land;
5. Excess or under-collection and complete or partial failure on the part of any estate holder to collect his dues ;
6. Condition of boundaries and survey marks and marks of the G. T. S., and their renewal and repairs;
7. Improvements effected by estate-holders;
8. Fluctuations in agricultural prosperity;
9. Proposals, if any, for alterations in the limits of Patwari and Qanungo circles;
10. Proposals, if any, for transfers of Patwaris;
11. Complaints, if any, of bad work and deficient knowledge of survey against Patwaris;
12. Non-residence of Patwaris;
13. Observance of restrictions imposed upon Patwaris regarding cultivation, money-lending etc.; and
14. Supply to Qanungos and Patwaris of correction slips to the Lands Records Rules.

377. As soon as the Sub-Divisional Officer finishes his tour, he should draw up an inspection report and submit it to the Collector along with his note-book and copy of the map maintained by him. In this report he should summarize the condition of maps and records as found by him, and suggest measures, after consulting the Tehsildar and the Sadar Qanungo, if necessary, for effecting improvements in them, and give his conclusions, supported by facts and figures about the quality of work done by the supervising staff. Special stress should be laid on defects of a general nature and

serious neglect of duties on the part of the staff. In short Sub-Divisional Officer's inspection report should not be a mere narrative of the work done by him but should be such as will give a real insight into the condition of the maps and records of the Sub-Division and be of real help in effecting improvement in them. No particular form is prescribed for recording this report but it would be found convenient to divide it into the following heads and sub-heads. It should be written in half margin, in order to leave sufficient space for any remarks that the Collector may desire to make.

HEADS AND SUB-HEADS.

- I. Condition of maps and records.
 1. Map correction.
 2. Boundary and Survey Marks.
 3. Khasra.
 4. Khatauni Jamabandi.
 5. Siyaha.
 6. Grain rent ledger.
- II. Measures taken or suggested for effecting improvement.
- III. Inspectors.
 1. Their registers.
 2. Their knowledge of circles.
 3. The quality of supervision exercised by them.
- IV. Quality of Sadar Qanungo's work.
- V. Quality of Tehsildar's and Naib-Tehsildar's work.
- VI. Any other remarks.

Inspection of Office Qanungo's office.

378. (a) The Sub-Divisional Officer is required to inspect the Office Qanungo's office at least once a year. The inspection should, so far as possible, be finished in the hot weather or rains and should not be left over for the cold weather tour which is intended primarily for the inspection of Inspector's work.

(b) Before starting the inspection of the Office Qanungo's office, the Sub-Divisional Officer should carefully go through all the inspection notes including those recorded by the Tehsildar or the Naib-Tehsildar during the year. This will enable him to decide which branches need his attention the most. He should try to inspect as many branches as possible, but the following should never be left uninspected as they are much too important to be ignored—

1. Patwaris' pay accounts.
2. Patwaris' miscellaneous receipts.
3. Statistical and Nazool registers.

379. As soon as the Sub Divisional Officer finishes his inspection of the Office Qanungo's office, he should draw an inspection report and submit it to the Collector. In it he should briefly state the amount of test applied to each branch of work, the defects

brought to surface as a result thereof and the remedies suggested for the removal of those defects. The report should conclude with a definite finding of the quality of work done in the Office Qanungo's office and the nature and extent of supervision exercised by the Tehsildar and his assistants. If the report is unfavourable, it should clearly specify which members of the staff are responsible for the defects noticed and to what extent.

380. No fixed procedure can be laid down for the inspection of the Office Qanungo's office as much depends upon the standard of efficiency of work in each office. The following instructions which are based on experience will, however, be found useful in carrying out the inspection of the various branches of the Office Qanungo's office. In these instructions an attempt has been made to give briefly at first the procedure of work in each branch and then the points to be seen in the inspection of that branch.

1. Staff.

381. (a) There is usually an Office Qanungo in each Tehsil assisted by one or more assistants according to the amount of work in that Tehsil.

(b) In connection with the staff the officer has to see:—

- (i) Whether the staff is adequate or excessive according to the amount of work in the office.
- (ii) Whether they are conversant with both Hindi and English and can do the accounts work neatly.
- (iii) How is the work of the office divided between the Office Qanungo and his assistants and whether the distribution is fair and satisfactory.

2. Patwari's Pay Accounts.

382. (a) Detailed rules for the maintenance of Patwari's and Inspector's pay accounts are given in Part III. The following recapitulation in brief is given for the benefit of inspecting officers. The Office Qanungo is required to prepare the Patwaris and Inspectors' monthly salary bill and to send it to the Treasury Officer for payment order. He has to maintain the register known as the register of deductions to show all amounts ordered to be deducted from the Patwaris and Inspectors' pay on account of fines, leave arrangements, loss of instruments and negligence of work etc. Deductions entered in this register for the period prior to the despatch of the salary bill should tally with those shown in the salary bill while those entered from the date upto the end of the month will be found either in the same salary bill under details of refunds, or in the next bill.

(b) Patwaris who do not attend on the dates fixed for the disbursement of pay are not allowed to draw their pay on any other date during the month except under special orders. Any pay that remains undisbursed for two consecutive months is refunded by short drawals and the details are given in the salary bill of the refunds.

The refunded pay can be redrawn only by an arrear bill which is prepared as soon as the claim for the same is preferred. In order to keep the correct accounts of these refunds and settlement of claims on account of them, the Office Qanungo is required to maintain a register entitled as the register of arrear claims. Columns 1 to 6 of this register are filled up as soon as the arrear claim arises, while the remaining columns are filled up at subsequent stages as the various steps are taken for its settlement.

(o) To show the balance in hand on account of pay the Office Qanungo is required to keep a register known as register of accounts of pay of the land records staff. In this register the amounts received and disbursed on account of pay or arrear claims are entered on each date on which transaction takes place. The amount shown in this register should tally with the daily total of the acquittance roll. In the acquittance roll the recipient's signature is taken in token of the receipt of his pay.

(d) All these registers have to be carefully examined by the inspecting officer who should see.

- (i) Whether pay bills are correctly prepared and promptly submitted.
- (ii) Whether all deductions required to be made from the pay have been made, duly entered in the register of deductions and accounted for in the salary bills concerned. In order to check the accuracy of this register, a sufficient number of entries in it should be traced in the salary bills concerned and compared with the corresponding entries of deductions in the Sub-Divisional Officer's Misal Band Register.
- (iii) Whether the dates fixed for disbursement of Patwaris' pay are convenient and whether Patwaris attend regularly on these dates; also whether defaulters, if any, are taken to account for their failure to attend on the dates fixed.
- (iv) Whether all refunds claimable by Patwaris are duly brought into the register of arrear claims, whether claims are promptly settled, whether suitable action is taken to discourage the accrual of arrear claims and to prevent the recurrence of delay in their settlement and whether the register of arrear claims is put up regularly after every six months before the Tehsildar for scrutiny and for reporting up-to-date arrear claims to the Collector; and
- (v) Whether signatures are duly taken in the acquittance roll in token of receipt of pay, whether receipts for amounts exceeding Rs. 20/- are duly stamped, whether postal receipts and acknowledgments for amounts remitted by Money Order are duly pasted at their

proper places in the acquittance roll, whether all amounts received and disbursed on account of pay and closing balance are duly attested by the Treasury Officer, whether the daily total in the acquittance roll tallies with the entries of this register and whether closing balances shown in this register agree with the corresponding entries in the cash book.

3. Patwaris Miscellaneous Receipts.

383. Receipts credited to this head consists of (i) fees and fines of the Patwari School, (ii) sale proceeds of Patwaris waste paper and (iii) other miscellaneous receipts. The inspecting officer has to satisfy himself that all such receipts are duly credited into the treasury and that prompt action is taken for the realisation of outstanding dues, if any.

4. Mutation work.

384. (a) The importance of mutation work cannot be over-emphasized as it is intended to discharge the statutory obligation imposed on the Land Records Officer *i.e.*, the Collector to keep the Khatauni Jamabandi correct and up-to-date. The inspecting officer should, therefore, pay special attention to this branch of work at the time of inspection. It is obligatory on every person obtaining possession, by succession or transfer or otherwise of any property or other right or interest in any land or the profits thereof, to report such succession or transfer to the Patwari concerned and the Patwari is bound to enter all mutations in the register of mutations as soon as a report is made to him or it comes to his knowledge. The Inspector of the circle checks the entries in the various columns and then the Revenue Officers pass orders in each case after attesting the entries made by the Patwari on the spot in the presence of the parties concerned, the Lambardar and other people of the village. After attestation the counterfoil of, each mutation, whether sanctioned or rejected, is passed on to the Office Qanungo, who keeps them carefully with the last Jamabandi with him. At the time of the preparation of the next and fresh Jamabandi it is to be seen whether all the mutations, so ordered, are given effect to and entered. Besides this, the monthly memo of transfers of agricultural land and properties, which are received from the Registrars and Sub-Registrars, are also distributed by the Office Qanungo to the Patwaris concerned through the Inspectors and the invoices duly signed by them, are kept by the Office Qanungo. After compliance, the memos, when received back from the Patwaris, are also kept by the Office Qanungo circle wise to see that all the changes, so ordered, are incorporated in the next Jamabandi.

(b) While examining this branch of the Office Qanungo's office the inspecting officer should see:—

- (i) Whether the procedure laid down for disposal of mutations is properly followed;

- (ii) Whether the order is written by the presiding officer in his own hand and whether the precise entry to be made in the Khatauni Jamabandi, as a result of the order and the Khata or Khatas affected thereby, are clearly specified in the order;
- (iii) Whether the monthly abstract of the mutation report is correctly prepared and regularly submitted to the Sub-Divisional Officer, while examining this abstract the inspecting officer should see that it does not include applications for mutation of sub-tenant's name in the Khatauni;
- (iv) Whether the registration memos are promptly sent by the Registrars and Sub-Registrars each month;
- (v) Whether the mutations are entered by Patwaris immediately on receipt of registration memos and information of successions and transfers from other sources;
- (vi) Whether these memos are promptly sent to the Inspectors and promptly distributed to the various Patwaris;
- (vii) Whether the files of registration memos are properly arranged by the Office Qanungo and the date on which the last memo is received is noted on the file index;
- (viii) Whether the files of registration memos is destroyed after the preparation and final checking of the new Jamabandis;
- (ix) Whether mutation files are arranged by Inspectors' circles, Patwaris' circles and by villages;
- (x) Whether the accepted and rejected mutations in each Inspectors' circle are kept distinct and on separate shelves;
- (xi) Whether the miscellaneous papers detached from sanctioned mutations are kept in bundles by Inspectors' circle and destroyed after the preparation and final checking of the new Jamabandi;
- (xii) Whether a separate despatch book is maintained for showing the receipt and despatch of interrogatories; and
- (xiii) Whether the interrogatories are issued for the examination of those persons only who reside outside the limits of the Tehsil or at a long distance (25 miles) from the village to which the mutation relates.

5. Testing and comparison of Khatauni Jamabandi with the mutation files, registered memos and Errata lists

(e) The procedure to be followed by the Office Qanungo in carrying out the test and comparison of the Khatauni Jamabandi

with the mutation foils and errata lists is given in Part III. While examining this branch of work the inspecting officer should see that the Khatauni Jamabandi are properly compared and alterations made in them, subsequent to the preparation of the errata lists, are reported to the Tehsildar and that the result of the test applied to each Khatauni Jamabandi is entered at the last page and the work of comparison is thorough and up-to-date.

6. Agricultural Statistics.

385. (a) The basis of all statistics compiled in the office of the Office Qanungo is the village record. The Patwari prepares from the Khasra, the area statement (Milan Khasra) and the three crop returns, *viz.*, Jinswar Kharif, Jinswar Rabi, Jinswar Zaid, and from the Dhal Banchh and Shiyaha, the statements of holdings and rentals. He files them in the Tehsil through the Inspector, who is responsible for their checking correct to the nearest acre or rupee with explanation of material fluctuations. The Office Qanungo copies them out in the appropriate registers, totals them in necessary details and sends the Tehsil figures to the district headquarters.

(b) Figures for the "transfer statements" are collected by him from his mutation files while those for the revenue statements are supplied to him by the Revenue Accountant of the Tehsil. Population figures are received by him from the Collector's office. These are compiled by him and transcribed in the various statistical registers in the same manner as in other registers.

(c) Alterations in land revenue and unions and partitions of estates are recorded in the Register of Halat Mauza by the Office Qanungo and notes on blank papers are written by the Tehsildar himself.

(d) The brief agricultural history required to be given on blank pages in the register of Halat Mauza is recorded by the Office Qanungo after it has been approved by the Tehsildar. In this register, however, notes in the remarks column are recorded by him on his own authority in accordance with the instructions laid down in paragraph 222. In these notes he explains briefly all such fluctuations in the statistics of individual village as do not apply to the Tehsil or circle as a whole and as have not already been explained.

(e) The work of this branch though purely mechanical requires close scrutiny, as weighty conclusions are sometimes drawn from these statistics and errors in them may lead to erroneous results. The inspecting officer should examine a sufficient number of entries in each register and see:—

(i) Whether the crop and the area statements and statements of holdings and rentals are punctually received from the Inspectors; whether these statements are complete and give necessary explanation of fluctuations and whether the conversion of area from bighas into acres, if any, is correct; and

(ii) Whether the registers are properly written and correctly totalled and whether they are complete and up-to-date. Compare the latest figures in some of these registers with the Patwaris' statements and in the case of the transfer statement with the totals in the mutation register and check some of the pages totals and the progressive totals as well as the carrying over of them. The common sources of errors are:—(i) the entry of figures opposite to a village other than the correct one, (ii) copying the wrong line of figures, and (iii) clerical mistakes in the figures themselves. The totals are, as far as possible, protected by cross totals *e.g.*, the total area in the area statement must agree with the totals of cultivated, culturable and barren areas. There are, however, a few columns in the register not protected by cross totals and it is in these that totalling mistakes are most common. These columns should, therefore, be chosen for check. They include the number of wells in the area statement, the areas of crop failure in the crop statements, uncultivated land included in holdings, and area and rent of sub-tenants in the statement of holdings and rentals.

(iii) Whether the registers of Halat Halqa Patwaris and Inspectors, Register Halat Mauza and register of villages are up-to-date and neatly written and whether the latest figures including census figures have been correctly entered in them.

Trace into each of these registers a sufficient number of figures and compare them with the village record. Mistakes in transcription are common in all these registers and efforts should be made to trace them out.

(iv) Whether the crop failures and remissions of rent on a large scale have been noted in the villages as well as in the Tehsil registers and all important variations and abnormal conditions affecting the Tehsil as a whole explained intelligently and fully; whether the notes in the register of Halat Mauza adequately explain the fluctuations confined to individual villages and are not mere repetitions of the notes given in the Tehsil register or mere paraphrases of the same, and whether the Office Qanungo has picked up all the villages requiring explanations of variations.

(v) Whether up-to-date alterations in the land revenue and unions and partitions of estates have been shown in the Tehsil books and whether notes required to be recorded have duly been recorded.

(vi) Whether figures for the Tehsil show any deterioration which has not been noted upon by the Office Qanungo and whether this omission has been brought to the notice of the Collector.

(vii) Whether villages are entered in the same order in all registers as in the register of villages, whether sufficient indices have been provided and whether statistics are sent to Sadar Qanungo punctually.

7. Registers of Nazool-

386. (a) The Land Records Department has nothing to do with property vested in the State and in the possession of the Central Government such as Military, Postal and Telegraph or the Forest and Irrigation Departments, which are all expected to keep their own record and their respective control. All Nazool lands or buildings situated within the limits of the municipality are also outside the jurisdiction of the Land Records Department. All other State land, whether administered as a State property under the control of the Board of Revenue or managed as Nazool by any of the Government Departments, other than the Forest and the Irrigation Departments, or entrusted as Nazool to the management of a local body, such as the District Board, is required to be recorded by the Land Records Department in the register known as Register of Nazool to be opened on Form O-15.

(b) (i) Detailed instructions for the preparation and maintenance of this register are given in paragraph 227. The columns of the register are self-explanatory. The register is prepared Tehsil-wise and entries are grouped by villages. Entries in this register are made only in respect of those villages where property vested in the State, of one description or the other exists. An alphabetical index of the villages contained in the register is given on the first page. Plans of plots are essential and must be attached with the Nazool register. Mistakes are more common in this register than others and greater attention should, therefore, be paid in the course of inspection of this important record. While examining it the inspecting officers should see whether the register is complete and up-to-date, whether acquisitions and alienations are promptly and correctly recorded, whether the index is complete and whether the property entered in it is of the description for the record of which this register is intended.

(ii) Whether encroachments on property vested in the State are promptly reported and duly removed and whether there are any plots or buildings which can be let out with advantage to the Government, but have not been let out.

8. Register of State Grants.

387. Instructions for its preparation are given in para 225. While looking to this register, the inspecting officer should see:—

- (i) Whether the register is properly maintained ;
- (ii) Whether the entries contain all the revenue-free estates ;

- (iii) Whether estates assessed to revenue have been expunged from the register and whether the order of resumption has been correctly applied ;
- (iv) Whether the existence of Muafidars is regularly certified and their death promptly reported by the Patwari ; and
- (v) Whether the verification of conditional Muafis is duly carried out by the Tehsildar.

9. List of Groves.

388. (a) The Office Qanungo is required to maintain a list of all such groves as are exempted during the currency of Settlement from payment of revenue or rent under the Revenue and Tenancy Acts.

(b) When revenue or rent is re-imposed on any grove entered in this list, the entry relating to it is struck off. An extract from this list is sent annually by 31st July, to each Inspector for inspection and report about the continued existence of each such grove in his circle. While looking to this list, the inspecting officer should see :—

- (i) Whether the list is properly maintained and whether it is correct and up-to-date. Alterations in and revenue made on account of such groves in the revenue accounts should be traced in this list in order to check the accuracy of the accounts.
- (ii) Whether entries in this list are confined only to such groves as are exempted or whether they relate also to such groves as were exempted from payment of revenue or rent by the Settlement Officer at the time of Settlement.
- (iii) Whether orders of exemption from, or re-imposition of land revenue or rent, are promptly given effect to in this list.
- (iv) Whether extracts are correctly prepared and punctually sent to the Inspectors and whether the Inspectors' reports are thorough and careful.
- (v) Whether prompt action is taken for getting revenue or rent re-imposed when such a grove is cut down and the land is used for some other purpose.

The specimen of form on which the list is to be maintained is given below :—

List of groves exempted from the payment of revenue.

Tehsil

District

Serial No.	Name of village	Name of Thok or Patti	Khasra No. of groves	Area	Date of application for exemption
1	2	3	4	5	6

Amount of revenue reduced	Year from which revenue reduced	No. and date of order for reduction	Remarks
7	8	9	10

10. Alluvion and Diluvian Register.

389. In connection with the resettlement of alluvial estates, Patwaris are required to report variations in cultivation in the year preceding that from which the resettlement will take effect. (See Para (69). The Inspector is required to check these reports and to submit them to the Collector through the Tehsildar, the latter being responsible to see that they are correct and no estate requiring a resettlement has been omitted from it. While examining this register which shall be in Form O-38 and be maintained by the Office Qanungo—the inspecting officer should see:—

- (i) Whether the register is properly maintained and is up-to-date;
- (ii) Whether reports for resettlement of alluvial estates are regularly submitted; and
- (iii) Whether the revised land revenue is promptly recorded in this register and in other relevant registers;

11. Register of Calamities.

390. The Office Qanungo is required to keep a register of all reports of calamities received from Patwaris. Instructions for its preparation are given in Part III. While examining this register, the inspecting officer has to see:—

- (i) Whether the register is correct and up-to-date;
- (ii) Whether reports of calamities are promptly made by Patwaris and entered in this register by the Office Qanungo without any delay;
- (iii) Whether the original reports are promptly submitted to the Collector and whether copies of report of new outbreak of Rinderpest, Anthrax, Haemorrhagic, Septicaemia and Blackquarter are expeditiously sent to the Veterinary Assistant concerned; and
- (iv) Whether monthly returns of cattle diseases are punctually submitted to the Collector by the Office Qanungo.

12. Stock Book of Forms

391. (a) The Office Qanungo is responsible for the custody and distribution of forms for the use of Inspectors and Patwaris. He keeps a stock book of forms which are received and issued by him. Indents for the supply of forms are sent to the Sadar Qanungo. In

the interest of economy it is essential that the reasonableness of these indents be carefully checked before they are submitted to the Sadar Qanungo. For facilitating this check the Office Qanungo is required to prepare annually a standard of forms for each Patwari circle on the basis of the number of forms actually used by each Patwari in his various records in the preceding year.

(b) Instructions in connection with the indenting, custody and supply of forms are given in para 239- While checking the stock of forms with the stock book the inspecting officer should see:—

- (i) Whether the standard of forms prepared by the Office Qanungo has been prepared after getting counted the forms actually used by each Patwari in the preceding year and whether this standard is utilised by him in preparing and checking the indent of forms received from the Inspector;

If the record of the year for which the standard is prepared is available in the Tehsil record room, some of them may be taken out and the forms counted in order to check the accuracy of the standard. The extent to which the Office Qanungo has utilised the standard for preparing and checking the indents should also be ascertained by comparison of the standard with the indent ;

- (ii) Whether indents are scrutinised by the Tehsildar or Naib-Tehsildar before they are sent to the Sadar Qanungo;

- (iii) Whether the stock book of forms is properly maintained and is correct and up-to-date;

Check the stock of some of the forms particularly those that are supplied in large quantities;

- (iv) Whether the stock of forms is sufficient and not excessive;

- (v) Whether forms are distributed to Patwaris and Inspectors in time and in accordance with the indents; and

- (vi) Whether records filed by Patwaris contain a large number of unused forms or whether forms are wasted in any other manner.

13. Stock Book of Survey Instruments.

392. (a) The Office Qanungo is required to maintain a stock book of all survey instruments belonging to Government which are kept at the Tehsil or by the Inspectors and Patwaris of the Tehsil. He is also required to prepare each year a list of the survey instruments in stock for submission to the Sadar Qanungo by 1st June. Before its submission the list is checked by the Tehsildar who gives a brief report about the condition of each kind of instrument and the repairs required.

(b) Necessary instructions for the maintenance of the Stock Book of Survey Instruments are given in para 241. While checking the stock of instruments with the stock book, the inspecting officer has to see:—

- (i) Whether the stock book is properly maintained and whether receipts and issues are promptly and correctly noticed in it;
- (ii) Whether the balances shown in the stock book agree with the stock of instruments;
- (iii) Whether on transfers of Inspectors and Patwaris the signatures of incoming Inspectors and Patwaris are obtained in the stock book in token of their having received the instruments from their predecessors;
- (iv) Whether the instruments in stock are annually inspected by the Tehsildar and a report submitted by him;
- (v) Whether the stock of instruments is sufficient and whether the excess or shortage, if any, has been reported to the Collector; and
- (vi) Whether the instruments in stock are well kept and are in good condition or whether any of them needs repairs or replacement, and if so, what ?

14. Record Room.

393. (a) Closed records and registers are filed by the Inspectors and Patwaris each year in July and statistical returns on the dates prescribed for each of them. The Office Qanungo enters them after satisfying himself that they are in order in a register known as the register of records annually filed at the Tehsil and places them in the Bastas concerned after making necessary entries in each Basta list. Between 1st July and 31st October, he takes out from the Bastas, generally when he places in them the records and registers received in July, all records which are either to be sent to the Sadar Qanungo or to be destroyed during the year. Records taken out of Bastas for being sent to the Sadar Qanungo are despatched on the dates fixed while those for destruction are put aside until they have been inspected by the Sub-Divisional Officer or ordered to be destroyed. The period of retention and the method of disposal of each record, register or statement is given in paras 211 (b) and (c).

(b) The closed registers, lists and papers of the Office Qanungo's office are also deposited in the record room and are retained and disposed of as directed in para 211 (b).

(c) Detailed instructions for the receipt, preservation and disposal of records, registers etc. are given in para 211 (b). While inspecting the record room, the inspecting officer should see:—

- (i) whether the record room is commodious enough and whether rack accommodation is sufficient;
- (ii) whether Bastas are in good condition and are properly coloured, labelled and numbered and whether they are properly arranged and can be easily traced;
- (iii) whether the contents of Bastas agree with the Basta list and whether all the records that should be in the Bastas are there; whether the record to be preserved permanently or for the period of Settlement or for a longer period of are marked as such in red ink ;
- (iv) whether the records are filed punctually and whether cases of undue delay in filing are reported promptly; whether the records are registered as soon as they are filed and whether they are placed in Bastas without delay ;
- (v) whether all records required to be sent to the Sadar Qanungo or to be destroyed during the year are taken out of the Bastas in time and whether the former are despatched to the Sadar Qanungo on the dates fixed and the latter destroyed immediately after they have been inspected and ordered to be destroyed by the Sub-Divisional Officer ;
- (vi) whether statistical returns are properly kept circle-wise (Inspector's circles) in Bastas and whether registers and other records filed by the Inspectors are retained or destroyed according to the rules;
- (vii) whether closed registers, lists and other papers of the Office Qanungo's office are duly filed and whether they are retained, destroyed or sent to the Sadar Qanungo as directed in para 211 (b); and
- (viii) whether records sent out of the Record Room are duly entered, before they leave the Record Room, in the register maintained for this purpose and whether records not returned for more than three months after the date of issue, are taken due notice of for securing their early return.

15. Rules and Circulars.

394. (a) Each Office Qanungo is supplied with one or more copies of the Land Records Rules. Amendment slips issued from time to time are sent to him by the Sadar Qanungo. It is important that his copy of the rules should have all up-to-date amendment slips pasted in it.

(b) While inspecting the Office Qanungo's office the inspecting officer should see :—

- (i) whether the Office Qanungo's copy or copies of the Land Records Rules are complete with up-to-date

amendment slips and whether amendments to the rules are correctly understood by him and duly complied with, and

- (ii) whether circular letters, if any, received since the last inspection have been properly pasted in the file kept for the purpose and whether the object of these circulars is correctly understood and duly carried out.

16. Miscellaneous.

395. The inspecting officer should also see, at the time of his inspection, whether the Office Qanungo does any work not provided for in the rules and whether it is so heavy as to interfere with his regular duties and whether any unauthorised agents are employed by the Office Qanungo or his assistants to assist them in the disposal of their work. If the staff in the Office Qanungo's office is overworked, what relief is possible and how; and if it is underworked, what reduction in the staff is necessary.

17. Maintenance of Boundary & Survey Marks.

396. It is the duty of the Sub-Divisional Officer to see that boundary and survey marks are properly maintained in his Sub-Division. The following instructions are laid down for his guidance to secure the proper maintenance of boundary and survey marks.

I. GENERAL INSTRUCTIONS.

397. (a) The term "boundary mark" includes every permanent mark erected on the boundary of a village, estate or field, whether in connection with a survey or to define a boundary. The cost of maintaining boundary marks generally falls proportionately on the persons on the boundary of whose property it is situated.

(b) Survey marks are those permanent marks erected in connection with a survey which are not situated on the boundary of a village, estate or field. The cost of maintaining survey marks is borne by the Government.

(c) Permanent boundary marks may be of the following classes:—

- (i) Trijunction marks of masonry or stone,
- (ii) Other boundary marks of masonry or stone, and
- (iii) Other boundary marks consisting of a mound of earth or loose stone enclosing a permanent mark.

(d) Trijunction marks which require renewal must be replaced by stone pillars. Marks requiring repairs should be carefully repaired in such a manner as may be required

(e) Other boundary marks of stone or masonry which require renewal should be replaced by stone pillars. No standard pattern for such marks is being prescribed, but the stone used must be of a height of about four feet.

(f) The third class of boundary marks should be maintained by keeping the heap of earth or stones to its original size, the mound

should not be opened to ascertain whether the enclosed permanent mark is still in existence. When a mark of this class has altogether disappeared no steps should be taken to renew it.

(g) Survey marks are either stone or masonry pillars or mounds enclosing permanent marks as prescribed above. They should be maintained in the manner prescribed for boundary marks of the same type. Application for funds to meet the cost of maintaining survey marks, should be made to the Board of Revenue.

(h) Every station of the Trigonometrical Survey shall be inspected annually by the Sub-Divisional Officer in person; provided that, if in any year the Sub-Divisional Officer is unable to visit the station, the inspection shall be made by the Tehsildar; in such cases the station must invariably be inspected by the Sub-Divisional Officer in the following year.

II. PROCEDURE IN CASES OF BOUNDARY MARKS.

398. (a) On receipt of a report for renewal or repair of a boundary mark submitted by an Inspector, the Office Qanungo shall note on it the names and description of the persons and Lambardars responsible for the maintenance of the mark and shall enter the report under a separate number in the Misalband register and shall then put up the report before the Tehsildar for orders. The Tehsildar shall forthwith transmit the report to the Sub-Divisional Officer.

(b) The Sub-Divisional Officer on receiving a report shall consider whether the marks should be renewed or repaired and shall issue an order accordingly. It should be remembered that to order repairs to a mark, which must in any case soon be renewed, causes needless trouble and expenses to the person concerned.

(c) On receipt of the Sub-Divisional Officer's order, the Tehsildar shall direct the Inspector to report by a date to be fixed in his order, whether the order of the Sub-Divisional Officer has been complied with.

(d) If the Inspector reports that the order has been complied with, the Tehsildar shall transmit the papers to the Sub-Divisional Officer for orders to file the case. The papers shall then be returned to the Tehsildar for consignment to the Record Room.

(e) If the Inspector reports that an order for repairs has not been carried out, the Tehsildar shall report the matter to the Sub-Divisional Officer for orders. On receipt of the Sub-Divisional Officer's order directing that the repairs shall be carried out by the Government, the Tehsildar shall have the necessary repairs executed and after satisfying himself that the work has been properly done, shall report the amount spent to the Sub-Divisional Officer for order of payment.

(f) If the Inspector reports that an order for renewal has been complied with, the Tehsildar shall report the matter to the Sub-Divisional Officer for orders. On receipt of the Sub-Divisional Officer's orders directing the renewal of the marks by the Govern-

ment, the Tehsildar shall order any contractor to renew the marks within such period as may be fixed by him. He shall at the same time arrange to have the marks inspected by the inspector on the completion of period allowed.

(g) When the Tehsildar is satisfied that the mark has been duly renewed, he shall report the fact to the Sub-Divisional Officer and solicit orders of payment to the contractor.

(h) On receipt of a report for payment the Sub-Divisional Officer shall forthwith order payment of the sum which he considers to be due. All payments shall be charged to the head "7-Land Records—Cost of erecting boundary pillars".

(i) When the payment has been made, the Sub-Divisional Officer shall direct the Tehsildar to recover the amount paid from the persons responsible for the maintenance of the marks and when more than one person are responsible, he shall apportion the cost as he deems fit.

(j) The Tehsildar shall send to each person a demand slip for the amount due from him in the ordinary form for which no charge shall be made. Further process shall be resorted to only when the person concerned does not comply with the first demand slip. The amount on recovery shall be credited to the head "Land Revenue—Miscellaneous—recovery of cost of erecting boundary pillars". He shall then forward the papers to the Sub-Divisional Officer.

(k) After the Sub-Divisional Officer has perused the file, it shall be returned to the Tehsil with order to consign the papers to the Record Room. It should be examined from time to time by the Sub-Divisional Officer, that all payments and recoveries are made in time and are not delayed.

Any objections raised by person concerned regarding any report by an Inspector shall be investigated by the Tehsildar and the result submitted for orders of the Sub-Divisional Officer before further proceedings are taken.

APPENDIX I TO CHAPTER II PART VI

Yearly programme of the work of Sub-Divisional Officer.

Month	Work to be done	Remarks
1	2	3
October.	1. Will check Kharif Girdawari work and will visit specially the villages whose circumstances are precarious and in which suspensions or remissions are to be made or have been made. About such villages he will submit a note to the	

Collector which will be of great assistance to him in deciding what course to follow in the matter of recovering arrears or proposing remissions.

November to
the end of
February

2. Will specially visit the villages in which there is fluctuating assessment.
1. Will test the work of Inspector of Land Records in detail.
2. Will test the land records work of the Tehsildar & the Naib-Tehsildar in detail
3. Will attest Jamabandis on spot and note the result on the Jamabandis to be filed in the district office.
4. Will visit Burdi Baramdi villages in which revenue is affected.
5. Will ascertain in the cold weather, in a number of cases, by personal inspection at or near the village in which the revenue-free plots are situated that the estate-holders (revenue free), not included in the lists received from the Tehsildars, are in existence and that the lists and reports furnished by the Tehsildars are correct. The number of cases so tested should be mentioned in the annual revenue report for the district.
6. Recording of notes in the abstract village note books.

March.

1. Will check Rabi Girdawari and act as detailed under October.

April to the
end of Sep
tember.

1. Will make one inspection of the office of the Tehsil Office Qanungo in a year and should overhaul the mutation work of Tehsil Officers. The Sub-Divisional Officer of the headquarters should also inspect the Sadar Qanungo's office, if he is in charge of the Land Records section. At these inspections rain-gauges should invariably be inspected.
2. Will supervise and check some work of Jamabandis which are being prepared and see that they are filed in Tehsil in time.
3. The Sub-Divisional Officer should also make quarterly inspection of the Revenue Record Room.

Note:—The foregoing programme is only meant as a guide and the Collector can alter it to suit local conditions.

2. The Sub-Divisional Officers will submit their diaries to the Collector on the 1st of each month.

CHAPTER III.

Duties of the Collector

399. (a) In laying down the duties of the Collector, it has to be emphasized that he is the Land Records Officer of his district and the statutory obligation of maintaining the record of rights and rental as well as agricultural statistics lies on him. In order to discharge this obligation, he has to keep himself in constant touch with the land records of his district and to see that the staff responsible for the preparation and supervision does its duty and makes a united effort to make them as accurate a record of rights and statistical data as possible.

(b) Broadly speaking the main duties of the Collector in connection with land records fall under the following heads:—

- (i) General supervision and control;
- (ii) Disposal of Inspection notes and other reports;
- (iii) Enforcement of obligation of residence of Patwaris;
- (iv) Investigation and record of fluctuations in agricultural prosperity;
- (v) Alterations in the number and limits of Patwaris' and Inspectors' circles; and
- (vi) Submission of periodical reports.

400. The Collector is responsible for the proper supervision & control of the land records staff in the district and should take steps to ensure that all officers of the district staff, charged with the supervision of village maps and records as an integral and essential part of their duties, carry out faithfully and conscientiously the rules laid down for them in these Rules; for example, he should see that in inspecting the work of Inspectors his Sub-Divisional Officers or Tehsildars do not confine their inspections to villages near the main line of communications and camping places but pay greater attention to remote circles in the interior the supervision of which is generally neglected by the subordinate staff.

401. In order to keep the Collector in close touch with the land records work in the district, the Government has created the post of Sadar Qanungo, who, as already stated in Part V, is intended to be his executive and advisory officer in all matters pertaining to land records. One of the principal duties of the Sadar Qanungo is to watch the monthly progress of work done by the Inspectors and Office Qanungos and submit a monthly report to the Collector as directed in paragraph 318. Much good will be achieved if the Collector lends the Sadar Qanungo the necessary support and insists on the proper discharge of his duties.

402. In order to assist him in the effective supervision of the Sadar Qanungo's work, the Collector may place the Sub-Divisional Officer of the headquarter in charge of the land records of the district. In that case his main duties will be:—

- (i) to inspect periodically the office of the Sadar Qanungo;
- (ii) to dispose of all matters of routine nature in connection with the land records work, and to forward to the Collector with his own comments, such papers as require the Collector's personal attention;
- (iii) to verify the stock of survey instruments;
- (iv) to scrutinize, before sub-mission to the Collector, the Sadar Qanungo's proposals regarding appointment, transfer, promotion etc. of Patwaris, Office Qanungo's and the Inspectors of Land Records;
- (v) to see the prompt and proper compliance of the Collector's orders passed on defects in the record and in the work of the land records staff pointed out by the Sadar Qanungo and other inspecting officers;
- (vi) to ensure proper compliance with the instructions issued from the Land Records section of Collector's office from time to time for the removal of defects or for effecting improvement in the records.

403. Serious injury to the land records may result from the employment of the staff on work which is not covered by the rules and attention in this connection is invited to the provisions of paragraphs 22, 178 and 210. Inspectors and Patwaris may, however, occasionally be so employed but what is required is constant vigilance on the part of the Collector that the land records work, which is their primary concern, is not allowed to suffer by their employment on extraneous duties. Hard and fast rules in a matter like this cannot be laid down; but generally it is the duty of the Collector to see that the time necessary for the performance of the duties laid down by the rules is not seriously curtailed; that the Inspectors spend as much time as possible in their circle and are not kept in attendance at the Tehsil or officer's camps; that the Office Qanungos and their assistants remain at the Tehsil and are not taken out in camp or called to headquarters; and that Patwaris are not unnecessarily kept away from their circles by Inspectors or Office Qanungos.

404. (i) Unnecessary attendance of Inspectors and Patwaris on superior officers and in courts must be discouraged. In circles where litigation is frequent, the Patwari spends so much time in going to and from the courts that his ordinary work suffers. The amount of such attendance can be materially reduced by care in avoiding the issue of unnecessary summons and in fixing for the same day groups of cases in which the evidence of one Patwari is required.

(ii) Unnecessary attendance on officers should be severely discouraged and whenever an officer calls an Inspector of Land Records to attend on him the object of such attendance should be noted in the Inspector's diary under the officer's signature.

405. (i) Erroneous mutation orders and mistakes in partition records are a great danger to the accuracy of records. Errors that originate therefrom are perpetuated, as an entry based on an order that has become final has little or no chance of correction. The Collector should, therefore, pay particular attention to mutation work when he inspects the Tehsil and should from time to time call for and inspect partition records prepared by the subordinate staff.

(ii) Sub Divisional Officers and the Sadar Qanungos should also be required to make the frequent inspections of the mutation work and partition records.

406. Slipshod or fictitious work on the part of the staff is the most frequent cause of incorrect records. The Collector should, therefore, take serious notice whenever it is brought to his notice. Accumulation of arrears is a fruitful cause of such work. There is a large mass of work to get through in the year and unless the programme laid down in the rules is strictly adhered to, it is not possible to finish it in time without sacrifice of efficiency. Great care should, therefore, be taken to see that Patwaris and Inspectors start each work punctually, distribute it evenly over the period prescribed for it, and avoid irregularity in its performance. The tendency among them to do little or no work in the beginning and to rush through it towards the end or to work by fits and starts, should be severely discouraged. The practice of neglecting one work and overdoing another, whenever there is more than one work prescribed for the same period, should also be discouraged.

407. Inspectors, who return unusually large quantities of work as done or who omit to give in their diaries the number and nature of mistakes detected or steps taken for their correction or for bringing the defaulters to book, should be picked out for special inspections. Special inspections are also called for in the case of Inspectors whose diaries do not disclose their land records work, the presumption being that they are either wasting their time or are deliberately omitting, for some reason, to show in their diaries the extraneous work done by them.

408. If in spite of necessary precautions, arrears accumulate in any Inspector's circle, care should be taken to see that efficiency is not sacrificed in speeding up the clearance of the arrears. It must be remembered that conscientious and accurate work is more important than punctuality in finishing it, and that lack of thoroughness in finishing the Inspector's test is sometimes more dangerous to the accuracy of records than no test at all. Whenever, therefore, the Collector finds that arrears are much too heavy to be cleared off within the prescribed period without sacrificing efficiency, he may

either grant and extension of time, provided that such extension does not delay the submission of necessary statements and returns to the Board of Revenue, or do away with any portion of the Inspector's test. In the latter case, he should briefly state the reasons in support of his order and send a copy thereof for the information of the Commissioner. Any records that remain untested under this order shall be marked as such on the title page.

409. Inspectors who, inspite of repeated instructions issued by the Sadar Qanungo, persist in the neglect of duty or deliberately shield defaulting Patwaris, should be noted by the Collector for suitable action.

410. The question of disciplinary action against the staff is also important. Indiscriminate punishment is as prejudicial as failure to punish defaulters. It is important to adjust the punishment not only to the particular offence but also to the past record of the official concerned. When a Patwari has accumulated a long list of minor punishments, it is necessary to consider whether it is not time to reduce, remove or dismiss him. Similarly when a defaulting Inspector has accumulated a number of adverse entries in the list of delinquencies it becomes necessary to see whether his conduct has reached the stage of misconduct or neglect of duty warranting the institution of formal proceedings against him for the infliction of punishment. Experience has shown that constant ineffective punishments have, on the whole, an injurious effect on discipline. For first and petty offences a warning is usually sufficient, while for serious and repeated offences punishments such as reduction, removal or dismissal are likely to produce better results.

411. Promotions of Inspectors and Patwaris also need the attention of the Collector. Arrangement for promotion should be made expeditiously, and in giving promotions subordinate officials should be allowed as little hand as possible. The selection of Patwaris for rewards is also important, The field of selection should usually be confined to those Patwaris whose work is inspected during the year by officials other than Inspectors. The principles to be followed in granting rewards are that they should be given for steady good work, and that they should be sufficient in amount to act as a stimulus to the rest of the staff. Before a reward is sanctioned, the Patwar's past record should always be considered and preference given to those who have worked diligently and accurately for the longest period. The practice of distributing the grant in trifling sums over a large number of Patwaris produces no result on the quality of the work; in ordinary circumstances half a month's pay is the lowest reward that should be given.

412. The Collectors are solely responsible for the appointment, transfer and discipline of Patwaris. Transfers of Patwaris are ordinarily undesirable and should on no account be made to suit the convenience of individuals. They can only be made under the con-

ditions given in paragraph 9 and these conditions should be strictly observed. In order to avoid unnecessary transfers, Patwaris picked out for transfer, should, so far as possible be exchanged with one another rather than with other Patwaris. Transfers by way of punishment are not contemplated by law. Moreover, a transfer is hardly a substitute for punishment.

413. In granting leave to Patwaris the provisions of paragraph 10 should be kept in view. Care should be taken to see that patwaris do not unnecessarily remain on long leave as work done by their substitutes is generally of inferior quality.

II. Disposal of Inspection Notes and other Reports

414. (i) Inspection reports of officers require personal attention of the Collector. Prompt and careful disposal of these reports is of considerable importance.

(ii) In addition to the inspections made by the Sub-Divisional Officers, Tehsildars, Naib-Tehsildars and the Sadar Qanungo, inspections are also made from time to time by officers of the Land Records Department designated as Assistant Director of Land Records. Notes recorded by these officers, particularly by Assistant Directors of Land Records, should be treated as opinions of specialists and given due weight in the districts. Suggestions made by them for removing the defects brought to light in the course of their inspections, should form the basis of general instructions to be issued for the guidance of the land records staff in the district.

(iii) During the limited time at their disposal departmental officers can see only specimens of work done in the district. They are not, therefore, expected to trace out individual errors in the records, which is exclusively the work of the district staff. Moreover, they can hardly afford to burden their inspection notes with what are known as "defects in detail" The main object of their inspections is to find out defects in procedure, non-observance of rules, general condition of land records in the district and suggest ways and means for effecting an improvement in them. Prompt and adequate action on these notes is, therefore, of the utmost importance, and the Collector should see that the officials concerned have in due course fully complied with the orders and instructions by him on the basis of these notes.

415. In dealing with inspection reports of Sub-Divisional Officers, Tehsildars, Naib-Tehsildars and the Sadar Qanungo, it should be seen whether Sub-Divisional Officers have concentrated their attention on the work of Tehsildars, Naib-Tehsildars and the Sadar Qanungo rather than on that of Inspectors and Patwaris; whether Tehsildars, Naib-Tehsildars and the Sadar Qanungo have, in their turn, tested the quality of the Inspector's work rather than that of Patwaris; and whether each inspecting officer has made genuine efforts to ascertain the main defects in the records and has given a clear finding, supported by facts and figures, on each point

required to be examined by him in the course of his inspection, and has drawn correct conclusions about the quality of each branch of work of the official whose work he has inspected. The note books and maps, if any, attached to these reports should also be looked into by the Collector in order to verify the facts given in the reports.

416. (i) In his inspection report, the Sub-Divisional Officer is required to comment on the condition of maps and records of his sub Division and to make suggestions for their improvement after consulting, if necessary, the Tehsildar and the Sadar Qanungo. These suggestions should be carefully examined by the Collector who should see that such of them as are approved by him are duly carried out by those concerned.

(ii) Important points in the report should be marked out for being utilised in the annual administration report and for making entries in the character rolls of the officials concerned.

III. Enforcement of the obligation of residence on Patwaris.

417. (i) That non-residence of Patwaris in their circles is a great danger to the correct maintenance of records hardly requires emphasis. It is, therefore, an important duty of the Collector to see that the rules regarding residence are strictly enforced in the district.

(ii) It rests with the Collector to decide whether a Patwari is really resident or non-resident in his circle. A Patwari who has a house in his circle may not reside in it although he may occasionally spend a night or two in it or may even get his family temporarily to reside in it in view of an inspection of an officer. On the other hand a Patwari may be resident even though his family lives in his father's house or in the houses of his relations.

418. (i) The Inspector is responsible for reporting all instances of non-residence of Patwaris and should be taken to account if he neglects to do so.

(ii) A Patwari who has not, within a reasonable time, become resident in his circle should ordinarily be removed; and a Patwari, who having become resident, ceases without permission to reside in it should ordinarily be dismissed. Existing exemptions from the obligation of residence may be continued to the Patwaris who at present enjoy them so long as their work and conduct remain satisfactory. An exemption should be promptly withdrawn if a Patwari is habitually absent from his circle or if he delays the submission of his papers and returns beyond the dates fixed.

419. (i) Collectors should arrange to have the case of every exempted Patwari examined periodically by the Sub-Divisional Officer, who should satisfy himself by local inquiry, by inspection of his work and by examination of the register of Patwaris, that his work and conduct are satisfactory.

(ii) New exemptions may be granted to Patwaris only on one or more of the following grounds and no others:—

- (a) that no site exists within the circle habitable throughout the year without risk of serious injury to health;
- (b) that the circle contains no inhabited site suitable for the Patwari's residence;
- (c) that a site outside the circle is as convenient of access to all the villages of his circle as any site within it;
- (d) that the permanent residence of a Patwari is so close to his circle that it is almost as convenient of access to all the villages of his circle as any site within it; and
- (e) that the district officer considers exemption to be justified by particular circumstances affecting the circle.

(iii) No exemption should, however, be given merely on the ground that the former Patwari of the circle had been exempted. Fresh sanction is necessary.

(iv) Exemptions should be sanctioned only by the Collector, and only on a report made after a local inquiry by an officer not below the rank of an Assistant Collector.

IV. Investigation of record of fluctuation in agricultural prosperity.

420. The importance of maintaining a careful watch over the agricultural prosperity of the district cannot be over-emphasized, and it is one of the principal duties of the Collector to see that in accordance with the instructions given below, genuine efforts are made to ascertain causes of material fluctuations in any village and the result of the investigation is duly placed on record.

421. The Tehsildar is required to investigate when he inspects a village, as also Inspectors, all circumstances in regard to:—

- (i) Rental demand;
- (ii) State of collections;
- (iii) Variation in cultivated area;
- (iv) Damage to cultivated land or crop;
- (v) Condition of tenants;
- (vi) Management of the area surrendered or abandoned by tenants and the Siwai Chak (unoccupied) area, and
- (vii) Any other matter of importance affecting agricultural conditions; and to report promptly to the Sub-Divisional Officer such of them as appear to demand the attention of superior officer. He is also required to forward promptly to the Sub-Divisional Officer similar reports received from the Inspector with such remarks of his own as he considers necessary.

422. When such reports are received by the Sub-Divisional Officer, he will, after passing necessary orders on any points requiring immediate attention, make them over to the Office Qanungo

for being placed before him along with the register Halat Mauza in the first fortnight of October.

423. (i) Before the commencement of his tour the Sub-Divisional Officer should carefully study these reports along with the registers with a view to detect any deterioration or inefficiency affecting the whole or any considerable portion of the Tehsil or individual village or villages. The Tehsil register will show the tendencies at work during recent years, in the Tehsil as a whole, as also those at work in individual villages. The chief points to be looked for are:—

- (a) a progressive decline in the cultivated area;
- (b) a decrease in the facilities for irrigation such as complete or partial failure of the existing wells;
- (c) the gradual abandonment of any valuable crop;
- (d) sudden fluctuations in the area cultivated by estateholder or tenants of different classes and in rents paid by them;
- (e) a low proportion of collections to the demand;
- (f) difficulty in collecting the revenue or rent;
- (g) increasing frequency of sales and mortgages of land; and
- (h) a progressive rise in the area surrendered or abandoned by the tenants.

(ii) In some cases adequate explanations of variations in figures will be found in the notes recorded in the registers concerned, while in other cases the registers will show only that some unfavourable tendency is at work, the causes of which have to be ascertained and remedial measures taken where possible.

424. (i) The Sub-Divisional Officer should then draw up a memorandum on the Sub-Division, indicating the points requiring local investigation, whether they affect the whole Tehsil or circle or appear only in a particular village.

(ii) If on account of pressure of work or for any other reason the Sub-Divisional Officer is unable to find sufficient time for study of reports and registers referred to above, the Collector may entrust the work to any officer on the headquarter staff who will draw up the memorandum for the use of the Sub-Divisional Officer.

(iii) The memorandum, whether it is drawn up by the Sub-Divisional Officer himself or by any other officer, will be submitted as early as possible to the Collector for approval. After it has been approved, it will be returned to the Sub-Divisional Officer concerned who will so arrange his tour as to enquire in to all the points noted in the memorandum.

425. On the conclusion of his tour, the Sub-Divisional Officer will submit to the Collector a report dealing with the points selected for inquiry, giving the causes ascertained for tendencies at

work and the remedial measures which he has taken or which he proposes should be taken.

426. (i) It will be convenient to arrange this report in sections according to the causes of the depression. The arrangement given below should ordinarily be followed, only those headings being noticed where there is anything to say:—

- (a) Drought,
- (b) Spread of Katra in cultivated land,
- (c) Floods and water logging,
- (d) Spread of weeds (*e.g.* Kans),
- (e) Cutting back of ravines (Erosion),
- (f) Ravages of wild animals,
- (g) Disease and insect pests of crops,
- (h) Serious epidemic cattle disease,
- (i) Want of communications and markets for sale of produce ; and
- (j) Other causes.

(ii) The names of the Tehsils affected should be given with the number of villages affected in each and the approximate area and population concerned.

427. After this report is approved by the Collector necessary notes will be recorded by the Sub-Divisional Officer in the Tehsil registers and the books at the headquarter as may be appropriate.

428. When a district has come under the operations of the Famine Code, brief notes will be entered in the district books as soon as possible after the termination of relief operations showing for each village the village relief works executed, the gratuitous relief and the Taccavi distributed, together with the objects for which it was given.

V. Alterations in the Number and Limits of Patwaris' circles and grant of local Allowance to Patwaris.

429. Alterations in the number and limit of Patwaris' circles may be proposed either when they appear to be necessary on administrative grounds or when any Jagirdar or estate-holder of one or more villages has applied for a separate Patwari and the Collector is of opinion that his application should be granted.

430. Proposals should be submitted for the orders of the Board of Revenue through the Commissioner of the Division or when the district is under Settlement through the Settlement Commissioner, in the form given below accompanied by a map showing clearly the limits of present and proposed Patwari circles and a letter explaining briefly the reasons that render the change desirable. When the proposal is made at the instance of estate-holders, the Collector should note in the forwarding letter whether the extra cost has been accepted by them or it will fall on the Land Records budget.

Statement showing the present and proposed formation of
Patwari circles in the district.....Tehsil.....

S. No.	Name of Tehsil	Details of present circles					
		No. of Patwari circles	No. of Patwaris	No. of Inspectors	No. of villages	Total area in acres	Total cultivated area in acres
1	2	3	4	5	6	7	8

Details of proposed circles

Land Revenue	No. of Khatahs	No. of Khasras	No. of Khewats	No. of Patwar circles	No. of Patwaris	No. of Inspectors	No. of villages
9	10	11	12	13	14	15	16

Total area in acres	Total cultivated area in acres	Land Revenue	No. of Khatahs	No. of Khasras	No. of Khewats	Remarks
17	18	19	20	21	22	23

431. When the work of any circle is considered to be heavy for the Patwari to perform efficiently, the Collector may propose the appointment of one or more Additional Patwaris, as the case may require.

432. When the appointment of a Patwari at the cost of any estate-holder has been sanctioned by the Government, the Collector shall take agreement from him for the payment of the Patwari's salary and other allied expenses. On the execution of the agreement the Patwari shall be appointed and shall be paid from the Land Records budget along with the Patwaris of the Tehsil. The sum due from Jagirdars or estate-holders under the agreement shall be credited into the Treasury as contribution for the maintenance of special Patwar circles.

433. In ordinary cases alterations in the limits or circles should be given effect to from the end of the year for which the

Patwari's papers are prepared, the new arrangements coming into force as soon as the papers for the year have been filed with the Office Qanungo.

434. When difficulty is found in appointing Patwaris to any particular circle owing to the intricacy of the work or to the unhealthiness of the situation or to some similar cause, the Collector, may propose the grant of a local allowance, of such sum as in his opinion is required in the circumstances. Local allowance will not be granted on the ground that the work of the Patwari is too heavy to be performed efficiently. In such cases either the circle should be divided into two or an Additional Patwari may be appointed. No local allowance should be granted without the previous sanction of the Government.

VI. Submission of Periodical Reports.

435. (i) An annual report on the working of the Land Records Department shall be submitted by the Collector through the Commissioner, so as to reach the Board of Revenue by the 31st October. The report should deal with the subjects noted below. It should be copied on half margin so as to provide space for any remarks the Commissioner may desire to make :—

- (a) Punctuality in filing Patwaris' records,
- (b) Testing of Patwaris' records by Inspectors,
- (c) Testing of Patwaris' records by Tehsildars, Naib-Tehsildars and Sadar Qanungos,
- (d) Testing of Patwaris' records by superior officers,
- (e) Education of Patwaris,
- (f) Residence of Patwaris,
- (g) Promotions of Inspectors and Patwaris,
- (h) Boundary marks,
- (i) Map correction,
- (j) Concealment or inflation of rents,
- (k) Unrecorded collection of rents, and
- (l) Statistical registers.

(ii) The information required under the first six heads should be given in tabular statement. Any explanation of the figures that may be considered desirable should be given in the report but it is not necessary to repeat and discuss the figures when they show no note-worthy features. In connection with heads (c) and (d) the cases in which the officers concerned have been unable to complete the amount of testing prescribed for them should be mentioned and the cause of failure explained. When fresh exemptions from residence have been allowed during the year, the reason should be briefly stated. The information required under the other heads is as follows:—

1. Promotions of Inspectors and Patwaris.

Number of Inspectors and Patwaris permanently promoted to higher posts during the year with description of the posts and salaries should be stated.

2. Boundary Marks

The general condition of boundary marks and the action taken during the year for their maintenance and restoration should be given.

3. Map Correction.

The general condition of the village maps and difficulties, if any, experienced in keeping them corrected to date and measures adopted for overcoming such difficulties, should be stated.

4. Concealment and Inflation of Rents.

Any serious instances of concealment or inflation of rents that have come to light during the year, with a brief account of the methods adopted for concealment or inflation may be stated. Such instances are to be found in the Jagirdari, Biswedari and Zamin-dari villages.

5. Unrecorded Collection of Rents.

Percentage of unrecorded rents and the extent to which it is attributable to the negligence on the part of the Patwari and the failure on the part of the Jagirdars or estate-holders to submit their record and measures adopted for securing the record of collection should also be stated.

6. Statistical Registers.

Whether the various registers have been accurately written up and examined by officers and notes have been recorded in them.

436. (i) A brief monthly report on the agricultural condition of the district shall be sent by the Collector to the Director of Agriculture not later than the 4th day of each month. The Government has directed that the report should present a complete and accurate picture of the position at the end of the month to enable the Government to form a true opinion of the agricultural situation and prospects of the State.

(ii) The material for drawing up of this report shall be collected from all the Tehsils of the district. The report shall contain a statement of rainfall and another of prices. Tehsil rates shall be the rates of the principal market towns in the Tehsil and the district prices shall be the average of those reported from the Tehsils and not those prevailing at the headquarters of the district.

(iii) The reports should be divided into paragraphs and should deal with the following subjects:—

- (a) Character of rainfall,
- (b) The progress of agricultural operations,
- (c) The state of standing crops,
- (d) The prospects and probable outturn of the harvest,
- (e) Serious damage, if any, done to crops by insects blight, hail, storms, floods and other natural calamities,
- (f) The condition of agricultural stock,
- (g) Marked fluctuations in prices of food-grains or in the course of trade in agricultural staples,

- (h) The failure of pasturage and fodder,
- (i) The condition of labour and agricultural population, and
- (j) General remarks.

(iv) The reports for the months given below should also give additional information on the points noted against each:—

December—Outturn of the cane crop.

February—A general estimate of the Rabi yield.

April —Outturn of all important Rabi crops.

September—A general estimate of the Kharif crop.

October —An estimate of the yield of cotton crop.

November—Outturn of all important Kharif crops.

Alluvion and Diluvian Rules.

437. *awand rules governing the subject.*—When estates affected by rivers or torrents have assessments of land revenue which are fixed for terms of years, it is a condition of the Settlements, in default of a special agreement to the contrary, that such assessments are liable to revision when the lands of the estates are injured or improved by the action of water or sand. Such revisions are governed by the following rules:—

(i) Where land of an estate paying land revenue is injured or improved by the action of water or sand, the land revenue on the estate under the current assessment shall be reduced or increased in conformity with the instructions issued from time to time in this behalf by the Government.

(ii) In every such case the distribution of the land revenue over the holding of the estate shall be revised, so as, similarly, to reduce or increase the sum payable in respect of the holding in which the land that has been injured or improved is situated.

438 —*New estates formed by fluvial action.*—When lands are thrown up, that by law or custom, having the force of law, do not belong to any particular estate, they may be constituted into a new estate and settled, application being made to the Government for permission to bring such estates upon the district revenue roll, or they may be reckoned as Government waste lands.

439. *Removal of Estates from the revenue roll in consequence of Diluvian.*—When an estate is entirely cut away by the river it should be removed from the district revenue roll but it should be restored on a subsequent formation of land on the same site, if the original owners are entitled to recover possession.

440. *Village lists.*—The Office Qunungo should be required to maintain a simple list of villages liable to increase or decrease of area by the action of river, hill-torrent or swamps to enable him to satisfy himself that diluvian files of such villages are prepared in due course.

441. *Submission of annual statement.*—The Collector should submit for confirmation of the assessments by the Government, a statement in the form below, showing the net changes caused by

alluvion and diluvian. Such statements should be forwarded by the 1st May. On receipt of such confirmation the new assessments will take effect.

Statement of financial results of diluvian and alluvion assessments for the .. district made in 19 .., for the agricultural year (Kharif 19 .., and Rabi 19 ..), and the proposed remission in the revenue roll and amount to be collected as fluctuating revenue.

District	Tehsil	River	Gross increase of assessment due to alluvion, etc., (including Jagir)	Gross decrease of assessment due to diluvian etc., (including Jagir)
1	2	3	4	5
Net increase (Khalsa) to be collected as fluctuating revenue			Net decrease (Khalsa) to be remitted	Net amount of increase or decrease to be shown in the revenue roll of the following agricultural year
6			7	8
				Remarks
				9

NOTE.—Columns 6, 7 and 8:—The amount shown in column 8 will be the difference between columns 6 and 7, expressed in even rupees, fractions, of a rupee not exceeding eight annas being neglected and should be preceded by a plus or minus sign, as the case may be.

Column 9.—In this column the name of the officer by whom the assessments were made and tested, and the method adopted in assessing should be noted. Reference should be made to Settlement reports prescribing such method or to correspondence conveying special sanction.

DATED:
The 195 ..

Collector.

442. *Distribution of reduction or remission on account of diluvian.*—Where special rules have been framed, they provide for the preparation of a statement showing the distribution of the new assessment over holdings. Where no special rules have been framed, a statement should always be filed by the Patwari, showing how the reduction or remission has been distributed among the several holdings which have suffered loss.

443. *Assignments of land revenue how affected by alluvion and diluvian.*—When the land revenue of the estate has been assigned, the assignee will benefit from any increase of revenue and will suffer from any loss. If he pays commutation for service in a fixed proportion upon his revenue, the commutation will fluctuate with the amount of the revenue.

444. *Effect of removal of the land assigned by diluvian.*—If an estate or plot, of which the revenue was assigned, once swept away, has ceased to exist, the assignee has no claim to the revenue of alluvial deposits afterwards formed upon the same site, unless when the original owners would be entitled to recover possession of the newly formed land on the ground of their previous ownership.

445. *Forms of alteration of revenue roll.*—Enhancement of revenue on account of alluvion or reductions on account of diluvian must be sanctioned by the Government before alteration of the revenue roll. Reductions generally involve the remission of the current demand of land revenue, which has to be written off under the authority of the Government as an irrecoverable balance. No difficulty in preparing the revenue roll arises in the case of alluvial sub-divisions, the settlement of which is annual; persons continuing to occupy after expiration of the term of settlement hold under the condition of the expiring settlement, until a new settlement is made. The revenue demand of the previous year will, therefore, continue to be shown in the revenue roll until an alteration is sanctioned.

446. *Alterations to take effect from the Kharif.*—Except where the orders passed at settlement and still in force require the observance of a different practice, increases due to alluvion and decreases due to diluvian should take effect from the Kharif season in which they occurred; but while increases due to alluvion, or to excess of alluvion, over diluvian, in any village will be collected as fluctuating revenue due on account of the Kharif harvest in which the alluvion and diluvian occurred, the decreases on account of losses due to diluvian, or to excess of diluvian over alluvion, in any village will ordinarily be refunded by means of reductions from the collections of the fixed revenue due on account of the following Rabi. In cases, however, in which no such revenue is recoverable from an individual to whom a refund has to be made, the usual refund procedure will be adopted. In all other cases a reduction will be made by the Patwari in the demand recoverable for the following Rabi from the individuals to whom refund is due, the reduction being duly incorporated in the Dhal Banchh. The net increase or decrease for the district, as the case may be, will appear as an addition or deduction in the rent roll submitted for the ensuing agricultural year in the following October.

447. *Power of Collector to suspend in anticipation.*—Cases in which it is apparent that a considerable decrease will be necessary in the demand of an estate should be specially reported by the Tehsildar to the Collector as soon as they come to his notice in the course of inspection, and the Collector may, in such cases, at his discretion, suspend the collection of a suitable portion of the revenue subject to the necessary adjustment consequent on the final orders of the Government on the proposed assessment.

448. *Remission how shown in balance statements.*—The amount remitted on account of diluvian will be shown in the balance statement under the head, 'Irrecoverable,' and the authority for remission will be the orders of the Government upon the annual statement of changes in which the amount to be remitted will be specified separately from the amount by which the rent roll of the succeeding year is to be altered.

449. *Remissions for destruction of Crops.*—Remissions for the destruction of crops should not be dealt with in diluvian work, but should be separately reported for sanction in the same way as remissions for crop failures of land other than riverain lands are reported.

By order of the Governor,
R. N. HAWA,
Secretary to the Government.

Rajasthan Land Revenue (Land Records) Rules, 1957

Revenue (B) Department

NOTIFICATION

Jaipur, January 5, 1963.

No. F. 9 (69) Rev. B/57.—In exercise of the powers conferred by Sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956, (Rajasthan Act No. 15 of 1956), and of all other powers enabling it in that behalf, the State Government hereby makes the following further amendments to the Rajasthan Land Revenue (Land Records) Rules, 1957, as originally published under this Department Notification No. F. 9 (69) Rev. B/57, dated the 8th October, 1957, in part IV-C of the Rajasthan Gazette, dated the 23rd January, 1958, namely:—

AMENDMENTS

In the said rules—

(i) after the existing paragraph 88, the following new paragraph shall be inserted, namely:—

88-A. *Entries in respect of lands held by Indian soldiers serving under special conditions.*—No existing entries in columns 6, 16, 24, 32 or 40 of the khasra in respect of any land held by an Indian soldier serving under special conditions within the meaning of section 3 of the Indian Soldiers (Litigation) Act, 1925 (Central Act No. 4 of 1925) shall be changed so long as he is serving under such conditions and during a period of six months thereafter”.

(ii) in paragraph 138, after the existing sub-para (iii), the following sub-para shall be inserted namely:—

“(iii-A) No entry adversely affecting the interests of an Indian soldier serving under special conditions within the meaning of section 3 of the Indian Soldiers (Litigation) Act, 1925 (Central Act No. 4 of 1925) shall be made, so long as he is serving under such conditions and during a period of six months thereafter.

By Order of the Governor,
R. K. CHATURVEDY,
Secretary to the Government,

Notification No. F. 6(49) Rev. B/63.—In exercise of the powers conferred by sub-section (2) of section 261 of the *Rajasthan Land Revenue Act, 1956*, (Rajasthan Act No. 15 of 1956), the state Government hereby makes the following further amendments to the *Rajasthan Land Revenue (Land Records) Rules, 1957*, as originally published under this Department Notification No. F. 9 (69) Rev-B/57, dated the 8th October, 1957, in part IV-C, of the Rajasthan Gazette, dated the 23rd January, 1958, namely:—

AMENDMENTS

In the said rules—

(1) in paragraph 142, sub-para (i)—

(a) the second and third sentences reading “Out of the amount charged as fee, 2/5ths will be paid to the patwari making the entries in the register, another two-fifths shall be credited to the Government and the remaining one-fifth shall be paid to the Inspector concerned. The patwari shall however, not be entitled to any share in any amount imposed upon the party by way of penalty.” shall be deleted.

(b) the following shall be inserted as the second sentence, namely—

“The whole amount of mutation fees shall be credited to the Government.

(2) The following shall be substituted for the existing wordings of paragraph 144, namely:—

“Every year in the month of September, the patwari shall prepare on Form No P-23, for each village in his circle, a list of the fees due on mutations attested during the past year and of the persons from whom the fees are due. The Inspector, Land Records, shall check and sign the list, where after the Patwari shall realise the amount of fees and pay the same into the Tehsil Sub-Treasury along with the first instalment of the next Khaif land revenue. The Office Qanungo shall check the lists and see that the amount due in all cases has been realised and paid into the Tehsil Sub-Treasury.

Any over-payment made to a Patwari or an Inspector on account of mutation fees due for any mutation cases opened or checked prior to the 28th may, 1963 shall be recovered by deduction of the amount from his next pay bill under the orders of the Tehsildar. Recovery of any amount of over-payment from a dismissed patwari or Inspector may be made from him or from his dues pending or deposited with the Government.”

(3) Paragraph 145 shall be omitted;

(4) In Form No. P-23—

(a) Columns 4 and 5 shall be omitted;

(b) The existing columns Nos. 6 and 7 shall be re-numbered as 4 and 5 respectively;

(c) The heading of the newly numbered column 4 shall be changed to read "Particulars, viz, challan No. and date, of credit of mutation fees into Tehsil Sub-Treasury."

(5) In paragraph 245, in the table—

(a) Column No. 4 shall be omitted.

(b) The heading of column No. 5 which shall be re-numbered as column No. 4, shall be changed to read "Particulars viz., Challan No. and date of credit of mutation fees into Tehsil Sub-Treasury."

(6) In paragraph 365, sub-para (f), the following sentence shall be inserted at the end. namely—

"The Tehsildars and Naib Tehsildars shall also see that as from 23th may, 1963, the whole amount of mutation fees is credited to Government."

[Raj. Ga. 4 (Ga) Dt. 22-8-63 Page 150 Rev. B-Deptt.]

Notification No. F. 6 (113) Rev. B/Gr. 1/62.—In exercise of the powers conferred by sub-section [2] of section 261 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act 15 of 1956), the State Government hereby makes the following further amendments to the *Rajasthan Land Revenue (Land Records) Rules, 1957*, as originally published under this Department Notification No. F. 9 (69) Rev. B/57, dated the 8th October, 1958, in Part IV-C, new sub-para shall be added, namely:—

AMENDMENTS

After sub-para (e) of paragraph 28 of the said Rules, the following new sub-para shall be added, namely—

"(f) The Patwari shall, on request, by a Panchayat or a Panchayat Samiti concerned, prepare and supply to it, free of cost and duly authenticated in the manner laid down in sub-para [b] certified extract of Khasra numbers and map of pasture lands or abadi lands or other Government lands that have been, or are proposed to be, transferred to the Panchayat or to a Pnachayat Samiti, as the case may be".

[Pub. in Raj. Raj-patra IV (Ga) dated 22-8-63 at Page 152]

Notification No. F. 3 (187) Rev. B/Gr. II/62,—In exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956, (Rajasthan Act 15 of 1956) the State Government hereby makes the following amendments to the Rajasthan Land Revenue (Land Records) Rules, 1959, as originally published under this department's Notification No. F. 9(69) Rev. B/67, dated the 8th October, 1957, in part IV-C of Rajasthan Gazette, dated the 23rd January, 1958, namely :—

AMENDMENTS

In the said rules :—

for the existing Appendix II of part I, the following Appendix shall be substituted, namely :—

APPENDIX II to PART I

Table showing the rates of mutation fees

- | | |
|---|--|
| 1. Succession to khatedari right under section 40 of the Rajasthan Tenancy Act, 1955, (Rajasthan Act 3 of 1955) (hereafter in this table referred to as "the Act".) | 2 np. per rupee of rent; Subject to a minimum of Re. 1/-per holding. |
| 2. (a) Accrual of khatedari rights under section 40 of the Act or under any other law for the time being in force, on the resumption of Jagir or of right of Malik on abolition of Zamindari or Biswedari estate. | 5% of the annual rent subject to a minimum of Re. 1/-per mutation. |
| 2. (b) Accrual of Khatedari rights under sub-section (1) of section 15 of the Act. | 5% of the annual rent, subject to a minimum of Re. 1/-per mutation. |
| 2. (c) Accrual of khatedari rights under section 19 of the Act. | 5% of the annual rent, subject to a minimum of Re. 1/-per mutation. |
| 3. Declaration of Khatedari rights under sub-section (5) of section 15, or under sub-section (2) of section 15A, or under sub-section (2) of section 15AA, or under sub- | Re 1/-per holding. |

section (1-A) of section 19, or under sub-section (2) of section 19 or under section 89 of the Act.

4. Acquisition of Khatedari rights through sale or gift by a Khatedar tenant under section 42 of the Act, or by allotment or purchase from Government under any rules for the permanent allotment or sale of unoccupied Government agricultural lands. Re. 1/- per mutation.
5. (a) Usufructuary Mortgage under sub-section (1) of section 43 of the Act. 5% of the annual rent, subject to a minimum of Re. 1/-per mutation.
 (b) Redemption of mortgage under sub-section (2) of section 43 of the Act. 5% of the annual rent subject to a minimum of Re. 1/-per mutation.
 (c) Mortgage under sub-section (4) of section 43 of the Act by a person to whom rights accrued under section 19 of the Act. Re. 1/per mutation.
 (d) Simple mortgage under sub-section (6) of section 43 of the Act in favour of land mortgage bank or co-operative society. Re. 1/per mutation.
6. Exchange under section 48 or 49 or 49A of the Act or otherwise. Re. 1/-per holding.
7. Division of holding under section 53 of the Act. Re. 1/-per holding.
8. Surrender under section 55 or 57 of the Act. Re.1/-per mutation.
9. Reversion of land by ejectment under section 174 or 175 or 177 or 180 of the Act. Re. 1/-per mutation.
10. Reinstatement under section 187 or 187B of the Act. Re.1/-per mutation.
11. Devolution or transfer of interest of grove-holder under section 196 of the Act. 2 np. per rupee of annual rent subject to a minimum fee of Re. 1/-per holding.
12. Conversion of agricultural land into non-agricultural land under section 90A of the Raj. Land Revenue Act. 1956 (Rajasthan Act 15 of 1956) and the rules made thereunder. Re. 1/-per mutation.

Rajasthan Land Revenue (Land Records) Rules, 1957

13. Acquisition by sale or allotment of land from Government under the rules made under section 100 or 101 or 102 of the Rajasthan Land Revenue Act, 1956, or under the rules for allotment and sale of Government unoccupied land made under the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954). Re. 1/-per mutation.
14. Mutation on the basis of registered deeds or by order of courts. Re. 1/-per mutation.
15. Simple correction of mistakes in previous record of right if no fresh right is acquired. No fee.
16. Mortgage of land in favour of Government or of redemption of such mortgage. No fee.
17. Mutation in respect of land acquired by the Government either under the Rajasthan Land Acquisition Act, 1953, (XXIV of 1953) or through the resumption of Jagir lands or abolition of Zamindari or Biswedari estates. No fee.
18. Correction of entries in favour of Government. No fee.
19. Mutation of any other class or category that Government may declare to be exempt from the payment of mutation fee. No fee.

(Published Rajasthan Gazette-Part IV (Ga)-dated—20-8-1964)

Notification No. F. 6 (10) Rev./C/Gr. II/64.—In exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act, 15 of 1956), the State Government hereby makes the following further amendment in the Rajasthan Land Revenue (Land Record) Rules, 1957 as originally published under this Department's Notification No. F. 9 (69) Rev. B/57, dated the 8th October, 1957, in

part IV (C) of the Rajasthan Gazette, dated the 23rd January, 1958 namely :—

AMENDMENT

In rule 6 of the said rules, for the words "Eight thousand" the words "Five thousand" shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt.—20-8-1954]

Notification No. F. 6 (48) Rev. B/Gr. I/64—In exercise of the powers conferred by sub-section (2) of section 261 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act 15 of 1956) the State Government hereby makes the following further amendments in the Rajasthan Land Revenue (Land Records) Rules, 1957, as originally published under this Department's notification number F. 6 (69) Rev. (B)/57, dated the 8th October, 1957 in Part IV-C of the Rajasthan Gazette, dated the 23rd January, 1958, namely:—

AMENDMENTS

In the said rules.—

(1) in paragraph 4, sub-para (c), after the words "failing which their services shall be terminated", the following words shall be inserted, namely:—

"Provided that persons who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A and 37-B), respectively of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four changes to pass the Patwari examination"

(2) in paragraph 282, sub-para (c), the word 'and' occurring at the end shall be deleted, and the following shall be inserted namely:—

"Provided that candidates of patwaries who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A) and (37-B) respectively, of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four changes to pass the Patwari examination"

Published in Rajasthan Gazette-Part IV (Ga.)-dated 12-11-1964

Revenue (B) Department

Jaipur, May 21, 1964

Notification No. F. 6 (48) Rev. B/Gr. I/61—In exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) the State Government hereby makes the following further amendments in the Rajasthan Land Revenue (Land Records) Rules, 1957, as originally published under this Department's notification number F. 6 (69) Rev. (B)/57, dated the 8th October,

1957 in Part IV-C of the Rajasthan Gazette, dated the 23rd January, 1958, namely:—

AMENDMENTS

In said rules,—

(1) in paragraph 4, sub-para (c), after the words 'failing which their services shall be terminated', the following words shall be inserted, namely:—

"Provided that persons who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A and 37-B), respectively of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four chances to pass the Patwar examination".

(2) in paragraph 282, sub-para (c), the word 'and' occurring at the end shall be deleted, and the following shall be inserted, namely:—

Provided that candidates of patwaries who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A) and (37-B) respectively, of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four chances to pass the patwar examination."

[Raj. Gaz. Ex. 4(Ga) Dt. 12-11-64-page 476]

REVENUE (B) DEPARTMENT

Jaipur, April 24, 1965

Notification No. F. 6(83) Rev/B/63 --In exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956), the state Government hereby makes the following amendments to the Rajasthan Land Revenue (Land Records) Rules, 1957, namely:—

AMENDMENT

In the said rules—

1. In paragraph 119, the full point occurring after the words and figures "under section 133 of the Rajasthan Land Revenue Act, 1956" shall be omitted and the following words, namely,—

'and shall put up the papers to the Inspector, Land Records, within twenty days of the date of receipt of the written report".

shall be inserted.

2. In paragraph 121 (a) at the end of sub para (iii) the words—

"The Inspector shall within twenty days of the date of receipt of the Patwari's report, forward the papers

to the Revenue Officer or other authority empowered to sanction the mutation”

shall be added.

(b) in sub-para (iv), after the words and bracket “Assistant (Collector)” the words and figures

“or the Village Panchayats to which the powers under section 135 of the Rajasthan Land Revenue Act, 1956 have been delegated, as the case may be” shall be inserted.

(c) after the existing sub-para (viii), the following new subparas shall be inserted, namely:—

“(ix) The reference in the preceding sub-paragraphs to Revenue officer shall, wherever powers under section 135 of the Rajasthan Land Revenue Act, 1956, have been delegated to the Village Panchayats, be deemed to include the Village Panchayats.”

“(x) All mutation cases must be disposed of by the Revenue officer of the Village Panchayat, as the case may be, in accordance with the procedure laid down in these rules, within twenty days of the receipt of the papers, and if any case is not disposed of within this period by a Village Panchayat, the Sub-Divisional Officer shall arrange to transfer the same for immediate disposal to the Tehsildar of the Tehsil in whose jurisdiction the land is situated.”

3. In paragraph 365, after the existing sub-para (f), the following new sub-para shall be added, namely:—

“(g) If any mutation case is not disposed of by a Village panchayat within twenty days of the receipt of the papers from the Land Records Inspector, the Sub-Divisional Officer shall transfer the same for immediate disposal to the Tehsildar of the Tehsil in whose jurisdiction the land is situated”.

[Pub. in Raj, Gaz. Ex. 4 (Ga)-Dated 3-9-65-Page 329]

Revenue (B) Department

Jaipur, February 15, 1966.

Notification No. F. 6 (71) Rev. B/I/65.—In exercise of the powers conferred by sub-section (2) of section 261 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act 15 of 1956), the State Government hereby makes the following further amendments to the Rajasthan Land Revenue (Land Records) Rules, 1957, as originally published under this department's notification No. F. 9 (69) Rev. B/57, dated the 8th October, 1957, in Part IV C of the Rajasthan Gazette, dated 23rd January, 1958, namely:—

AMENDMENTS

In the said Rules—

“in paragraph 260, sub-para (1), in the “statement showing the due dates and the number of forecaste”, against entry No. 14, castorseed, for the dates mentioned in columns 3, 4 and 5, viz., ‘15th January, 25th January’ and 15th February, the dates 30th March, ‘10th April’ and ‘30th April’, respectively, shall be substituted.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 7-4-66—Page 22]

REVENUE [B] DEPARTMENT

Jaipur, August 18, 1966

Notification. 6 (49) Rev./B/66.—In exercise of the powers conferred by sub-section (2) of section 261 of the *Rajasthan Land Revenue Act, 1956* (Rajasthan Act 15 of 1956), the state Government hereby makes the following further amendments to the Rajasthan Land Revenue (Land Records) Rules, 1957 [as originally published under this Department’s Notification No. F. (69) Rev./B/ 57, dated the 8th October, 1957, in Part IV-C of the Rajasthan Gazette, dated the 22nd January 1958], namely:—
In the said rules:—

(1) in Para 4, Sub-Para (c),

(i) the following proviso occurring after the words “failing which their services shall be terminated” shall be deleted namely:—

“Provided that persons who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A) and (37-B) respectively, of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four chances to pass the Patwar Examination.

(ii) at the end of the sub-para, the following proviso shall be inserted, namely:—

“Provided that i) persons who belong to the scheduled castes or scheduled tribes as defined in clauses (37-A) and (37-B) respectively, of section 5 of the Rajasthan Tenancy Act, 1955 (Rajasthan Act 3 of 1955), may be allowed four chances to pass the Patwar Examination.

(iii) a person who has worked as a Patwari under the State Government for not less than fifteen years and whose confidential reports are found to be satisfactory, who has appeared at two Patwar Examinations and failed and who is above forty years of age may be exempted from passing the Patwar Examination.

(2) In para 14, sub-para (ii), clause (c), after the words “provisional appointment”, the following words shall be inserted namely:—

“unless his case is governed by clause (i) or clause (ii) of the proviso to sub-para (c) of para 4”

(3) In para 272, sub-para (i) clause (a), after the words “within two years”, the following shall be inserted namely—

“unless his case is governed by clause (i) or clause (ii) of the proviso to sub-para (c) of para 4”.

(4) In para 282, sub-para (v), clause (c), after the words “even conditionally or temporarily” the following shall be inserted, namely—

“Unless his case is governed by clause (i) or clause (ii) of the proviso to sub-para (c) of para 4”.

[Pub. in Raj. Gaz. 4 (Ga) Dt. 6-4-67 Page 25]

Rajasthan Land Revenue (Land Records) Rules, 1957

Notification No. F. 6 (80) Rev./B/Gr. 1/63.—In exercise of the powers conferred by sub-section (2) of section 261 of the Rajasthan Land Revenue Act, 1956 (Rajasthan Act 15 of 1956) the state Government hereby makes the following amendments to the Rajasthan Land Revenue (Land Records) Rules, 1957 as originally published under this Department's notification No. F. 9 (69) Rev. /B/57, dated the 8th October, 1957, in Part IV-C of the Rajasthan Gazette, dated the 23rd January, 1958, namely—

AMENDMENTS

In the said rules,—

1. in paragraph 6, after the letters and figures “Rs. 200”, the words “and a fidelity bond of rupees eight thousand” shall be added.

2. in paragraph 18,—

(a) in sub-para (i) before the word “instruments”, the word “cash” shall be inserted.

b) in sub-para (ii) after the word “records” wherever occurring the word “cash” shall be inserted.

3. in paragraph 24, sub-para (a) item (ii) shall be omitted.

4. after the existing paragraph 24, the following new paragraph shall be added, namely:—

“24-A *Additional duties of Patwari.*—A Patwari shall also perform the following additional duties, namely:—

(i) to collect any pay into the Tehsil, all sums of money payable by the land-holders and tenants of the patwar circle for which he is appointed on account of revenue or rent or any other State dues under any law for the time being in force;

(ii) to control and superintend every village servant appointed under the provisions of the Rajasthan Land Revenue Act, 1956, to report his death or absence from duty, to maintain him in the possession of land, if any, appertaining to his office, to recover and pay to him any remuneration to which he may be entitled, and to take such steps as may be necessary to compel him to perform his duties ;

(iii) to furnish reports regarding the agricultural conditions of the circle for which he is appointed at such places and times as the Collector may fix in this behalf ;

(iv) to report and if possible to prevent encroachment on the public paths and roadways in the circle for which he is appointed;

(v) to report, and if possible, to prevent, encroachment on unoccupied land and village boundaries and the unauthorised cutting of wood from any waste land ;

(vi) to preserve, in the circle for which he is appointed, such stations and marks, erected by the surveyors of Government, as may be made over to his care;

(vii) to report the contravention of, or failure to observe, any rule, custom or condition entered in the wajib-ul-arz or land records ;

(viii) to report—(a) the abandonment of any holding or a part thereof ; (b) the non-payment of rent, revenue or any other demands ; and (c) any circumstances which indicate that the default in payment thereto is likely to be made ;

(ix) to report the continued absence, sudden disappearance or death of any estate-holder or other person drawing a pension and residing in the area for which he is appointed;

(x) to assist revenue officers in all matters connected with survey, settlement and preparation of record of rights and annual village registers ; and

(xi) to perform such other duties as may be cast on him under any other law for the time being in force."

5. for paragraph 35, the following paragraph shall be substituted, namely:—

"35. *Revenue and Rent Collection.*—The Patwari shall be responsible for preparing all such records as are prescribed for the collection of rent or revenue and shall also make the collections. The Patwari shall receive payments and issue receipt of the collection made by him under his own signatures and prepare the form of Arz-Irsal (Form P-34) in triplicate and deposit the amount collected in the Tehsil in time. One copy of the Arz-Irsal after receipt from the Tehsil shall be filed with the Siyaha (Form P-32). The Patwari shall also compare the Siyaha entries with the registers maintained in the Tehsil and take the signature of the Revenue Accountant on his Siyaha when he visits the Tehsil Headquarters."

6. in paragraph 42,—

(a) in sub-para (ii), the words "and for the Lambardar" shall be omitted.

(b) in sub-para (v), the sentence and words "It will be the duty of the Lambardars to report to the Patwari any out-break

of epidemic diseases among live stock and also to report the deaths among live-stock" shall be omitted.

(c) sub-para (vii) shall be deleted.

7. in sub-para (iv) of paragraph 51,—

(a) the words "and the signature or seal of one of the village Lambardars concerned being added at the end of the entry, if possible" shall be omitted.

(b) in item (6), the word "Lambardars" shall be omitted.

8. in sub-para (iii) of paragraph 58, the word "Lambardars" shall be omitted.

9. in paragraph 98 the word "Lambardar" shall be omitted.

10. in paragraph 110,—

(a) sub-para (i) shall be deleted and sub-para (ii) shall be re-numbered as sub-para (i),

(b) for sub-para (iii), the following paragraph shall be substituted, namely :—

"(ii) The realisation made shall be deposited by the Patwari in the Tehsil Sub-Treasury after every seven days or earlier whenever the collection amounts to Rupees two thousand. The Collector may, on the recommendation of the Tehsildar, extend the period hereby prescribed or such remittance up to two weeks in case of far distant villages."

11. in paragraph 111, for sub-para (i), the following rule shall be substituted, namely :—

"(i) The Patwari shall take the Arz-Irsal to the Tehsil and after getting it checked by the Tehsil Revenue Accountant shall deposit the amount in the sub-treasury or Bank and shall give one receipted copy of the Arz-Irsal to the Tehsil Revenue Accountant and paste the other copy in the remarks column of the Siyaha where the entry of remittance was made."

12. in paragraph 112,—

(a) for the words "Lambardar" and "Patwar" occurring in the last sentence the words "Patwari" and "Inspector Land Records" shall be substituted respectively,

(b) at the end of the paragraph the following shall be added namely:—

"The Inspector Land Records shall visit every Patwar circle in his charge at least twice during the recovery season to ensure that the remittances are made in the Tehsil Sub-Treasury within the prescribed period. The Collector may prescribe more frequent visits of the Inspector Land Records where considered necessary."

13. for the existing sub-para (ii) of paragraph 116 the following sub-para shall be substituted, namely :—

(ii) on receipt of any amount the Patwari shall complete the entires in the form of Receipt in triplicate. The third foil shall be handed over to the depositor and the second foil shall be attached with the "Arz-Irsal" to be despatched to the Tehsil Treasury while the first foil shall remain in the book with the Patwari. At the back of the first copy, the signature or thumb-impression of the depositor shall also be obtained in token of receiving the third copy.

14. for the existing paragraph 117 the following paragraph shall be substituted, namely :—

(i) The Patwari shall prepare the Arz-Irsal in Form P. 34, in respect of each remittance. The Arz-Irsal shall be prepared in triplicate and the Patwari shall take it with the amount of collection to the Revenue Accountant of the Tehsil. The latter shall check the entries in the Arz-Irsal by totalling the entires in the accompanying receipts and by reference to his register. The Accountant shall also compare the number of receipts attached with the Arz-Irsal with the number of the last receipt received by him with the proceeding Arz-Irsal and see that no intervening receipt has been withheld by the Patwari. For this purpose he will have to keep his village files of receipts arranged in serial order of the Receipt Book and receipt numbers. He shall then make endorsement over the Arz-Irsal to the effect that the comparison has been made by him "Milan Kiya Gaya" and thereafter shall return the Arz-Irsal to the Patwari.

(ii) The Patwari shall then hand over the "Arz Irsal" as well as money to the cashier in the Tehsil Sub-Treasury who will deposit the amount, make the requisite entries on the "Arz-Irsal", get it signed by the Tehsildar and then return one copy of the Arz-Irsal to the Revenue Accountant who will make necessary entries in his register, make an endorsement about this on the copy and return it to the Patwari. The Patwari shall paste the copy of Arz-Irsal in his Siyha, as mentioned in paragraph 111 (i).

15. In sub-para (ii) of paragraph 121, the words "and he will require the Lambardar concerned to a test the entry by seal or signature" shall be omitted.

16. in sub-para (ii) of paragraph 152, the word "Lambar-dars" shall be omitted.

17. in sub-para (e) of paragraph 163 the words "as well as the name of the Lambardar" shall be omitted.

18. in Appendix III to Part I for entry No. 3 :—

(a) under the month of December, and

(b) under the month of May,
the following shall be substituted, namely:—

“3. will collect revenue and prepare and issue receipts etc.”

19. in Form P. 22 (statement of interrogatories), in Column No. 5 brackets and word “(Lambardar)” shall be omitted.

20. in Form P-24, (Form of Genealogical Tree), Sl. No.-1 “Lambardar” shall be omitted.

21. in Form P-26 (Jamabandi ‘Khewat Khatuni’), in Column No 3, the words “with name of Lambardar with tribute and revenue” shall be omitted.

22. in Form P-30 (Form of Dhal Banchh), the Columns 12, 20 and 25 regarding “Malba and Lambardari dues” shall be omitted.

23. in Form P-32 (Form of Siyaha), Column 15 regarding “Signature of Lambardar receiving the amount” shall be omitted.

24. Form P-38 (Receipt for Return of Arz-Irsal) shall be omitted.

25. in sub-para (i) of paragraph 178, after item number 5, the following new item shall be added, namely:—

“6. Supervision over collection work”.

26. for sub-para (iii), of paragraph 195, the following sub-para shall be substituted, namely:—

(iii) The Inspector shall compare the Siyaha with the Dhal Banchh and the receipts and shall see that the collection entries are correct. He will also enquire from some cultivators about the receipts given to them. He will sign on the tested receipts and see that the entries therein compare with the Siyaha. He will also see that the amount collected and entered in the Siyaha has been remitted to the Tehsil Treasury within the prescribed time; that the entries are made in the Siyaha according to the prescribed rules; that the total are correct and that the Patwari has given the receipt to the payees in time. If the Inspector finds any fraud in the receipts or the Siyaha, he should atonce submit a report to the Tehsildar. He should check the Siyaha at the time of every collection and finish the checking of the Siyahas of all the villages of his circle by the end of August every year. At the end of each year he will sign the totals of collection after comparing them with the Jamabandi and Dhal Banchh. He should also examine the entries of the amount directly remitted in the Tehsil Treasury and see that the counterfoil of Arz-Irsals are received by the Patwari and pasted in

the Siyaha in time. The Inspector shall visit twice every Patwar Circle under his charge during collection season and ascertain that the Patwari does not keep the collected amount with him in contravention of the rules and if he does so he (the Inspector) should report the matter to the Tehsildar.

27. in the Appendix to Part II,—

(a) under the month of December, after item No. 5 add the following new item, namely:—

“6. Will supervise collection work.”

(b) under the month of May, after item No. 2, the following new item shall be added, namely:—

“3. Will supervise collection work.”

28. in paragraph 211,—

(a) in sub-para (a) serial number 8 shall be omitted.

(b) in the table appended to sub-para (c) the entries regarding “Register of Lambardars; 5 years after the current Settlement is finished; do”, shall be omitted.

29. the existing paragraph 220 shall be omitted.

30. Form O-8 regarding “Register of Lambardars” shall be omitted.

31. in paragraph 347 in list of Land Records Forms, appended thereto, in Part II, Office Qanungo—the entry regarding “O-8—Register of Lambardars.” shall be omitted.

32. in sub-para (a) of paragraph 384, for the word “Lambardar” occurring between the words “the and “and other people” the word “Panchas” shall be substituted.

33. in para (a) of paragraph 398, for the word “Lambardars” the the word “Patwari” shall be substituted.

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